

# NC State Board of Environmental Health Specialist Examiners

## Minutes of February 16, 2018 Board Meeting

The North Carolina State Board of Environmental Health Specialist Examiners met on Friday, February 16, 2018 at 10:00 a.m. in Room 250 at the Whitted Human Services Center, 300 West Tryon Street, Hillsborough, NC 27278. A call-in number was available. Those in attendance, either in person or via telephone were Chair Phil Thompson, Ann Absher, Melanie Campen, Greg Caulder, Lisa Ford, William Hill, Carl Kivett, Andrew Morgan, Daniel Ortiz, Larry Michael, Jessica Silver, Seth Swift, Board Attorney John Barkley and Board Assistant Donna Coffey.

**Called to Order** – Chair Phil Thompson called the meeting to order at 10:00 a.m.

**Board Action. Daniel Ortiz made a motion to approve the agenda as presented. Melanie Campen seconded the motion. All votes affirmative.**

### **Conflict of Interest Statement**

Chair Phil Thompson reminded Board members to recuse themselves when action on a staff member, family, or friend is under consideration by the Board. He also reminded Board members that they should refrain from participation in any discussions in which they may have a potential or existing conflict of interest.

### **Executive Order No. 34 from Governor Bev Perdue**

The Chair reminded board members of Executive Order No. 34 from Governor Perdue requiring appointees to attend at least 75 percent of the board's regularly scheduled meetings.

At 10:11 a.m., Board Chair Phil Thompson reported that there was a need to meet in closed session pursuant to NCGS 143-318.11(a)(1) and (6) as well as NCGS 143-318.18(6). Larry Michael and Melanie Campen recused themselves citing conflict of interest.

**Board Action: Drew Morgan made a motion to move into Closed Session pursuant to NCGS 143-318.11(a)(1) and (6) as well as NCGS 143-318.18(6). Jessica Silver seconded the motion. All votes affirmative.**

At 10:58 a.m., the Board moved back into open session.

Chair Phil Thompson announced that based on investigators' findings, there is just cause for a hearing regarding revocation of the North Carolina Environmental Health Certificate of Registration for Bryan Christopher Harris, REHS #1524, for alleged violation of provisions found in North Carolina § 90A-64(a) (3), (6), (7), (8) and (10).

**Board Action: Jessica Silver made a motion to send Bryan Christopher Harris, REHS #1524, formerly employed by Pamlico County Health Department, a notice of intent to revoke his certificate of registration for violation of provisions found in North Carolina § 90A-64(a) (3), (6), (7), (8) and (10) with a hearing date no sooner than April 12, 2018. Ann Absher seconded the motion. All votes affirmative. Larry Michael, Melanie Campen, Andrew Morgan and Daniel Ortiz, recused themselves from the vote citing conflict of interest.**

Chair Phil Thompson announced that the Board has completed its investigation regarding David Littman,

REHS #1283. Based on investigators' findings, the Board has determined that the complaints made against David Littman are personnel issues. Seeing that the Board does not have jurisdiction over the local health department's personnel management, the Board found there was no documentation to support the complaint, and there was no evidence to support the revocation or suspension of Mr. Littman's Registered Environmental Health Specialist registration.

**Board Action:** **Drew Morgan made a motion to send the complainant, Chris Ballard, a letter that the complaint has been investigated and the Board found no grounds to suspend or revoke the certificate of registration for David Littman, REHS #1283. Furthermore, the letter should state the matters investigated are more suited for personnel action by the employer including authorization retraining by the State Environmental Health Section. Carl Kivett seconded the motion. Larry Michael, Jessica Silver and Seth Swift recused themselves from the vote citing conflict of interest.**

Chair Phil Thompson announced that the Board has completed its investigation regarding Courtney Cole. Considering the fact that Ms. Cole did not renew her certificate of registration prior to December 31, 2017, she is no longer an active NC REHS. Board Assistant Donna Coffey is to note the investigation in Ms. Cole's electronic and paper files for future reference as needed.

**Chair Report – Phil Thompson**

Chair Phil Thompson reminded board members that they must complete statutory mandated ethics training no later than April 17, 2018.

**Vice-Chair Report – Larry Michael**

No report.

**Secretary/Treasurer Report – Carl Kivett**

No report.

**Minutes – Donna Coffey**

Donna presented the October 26, 2017 and 12/8/17 regular and closed session meeting minutes for approval.

**Board Action:** **Daniel Ortiz made a motion to approve the October 26, 2017 and December 8, 2017 regular and closed session meeting minutes as presented. Jessica Silver seconded the motion. All votes affirmative.**

**Financial Report – Donna Coffey**

Donna reported the following account balances as of 2/15/2018 meeting:

SECU Checking Account	\$7,604.78
SECU Money Market Account	\$111,857.36
SECU Shares Account	\$37.28

**Board Action.** **This report was for information only; no action required.**

**Administrative Assistant to the Board's Report – Donna Coffey**

Donna Coffey updated the Board on registration and renewal activity for 2017 and 2018.

### Registration/Renewal Update

North Carolina State Board of Environmental Health Specialist Examiners

2/16/2018

1 **2018 Renewal Update**

2 Annual Renewal Budget Total	\$51,150
3 Total Renewal Actually Collected Through 2/13/18	\$53,725
4 Total Collections Over Budget	\$2,575

7 **Active Registrations**

8 Active, Renewed 2018 (to date)	1,050
9 Active, Not Paid (all unaffiliated)	80
10 New Interns Since 1/1/18	15
11 Total 2/16/18 Active Registrations	1,145

13 **Online Payments Update**

14 Board online payment system started mid-November 2016. Since then:

15 Total Registration, Renewal and Exam Fees Collected	\$111,250		
16 Of the total, amount of monies submitted online	\$21,815	19.6%	of total collections
17 Cost to Board for online collections	\$1,600	7.3%	of total online collections

**Board Action. This report was for information only; no action required.**

**Education Committee Report – Daniel Ortiz**

Daniel Ortiz presented the Education Committee Report that included the following:

**Certification of October 27, 2017 Exam Scores**

The following individuals have either passed or not passed the NC REHS exam administered on October 27, 2017 based on Board requirements that individuals score **60% or higher** on each component part of the examination and an overall **weighted average score of 70%**.

	REHS #	Last Name	First Name	Pass (P)/ Not Pass (NP)
1	2584	Barfield	Christopher	P
2	2607	Botkins	Benjamin	P

3	2526	Bullock	William	NP
4	2525	Clark	Robert	P
5	2569	Crews	Jonathan	P
6	2663	Cunningham	Ashley	NP
7	2530	Currin	Adam	P
8	2506	Davenport	Bryan	P
9	2561	Dunn	Jeffrey	NP
10	2512	Fisk	Matthew	P
11	2599	Gentry	Timothy	P
12	2658	Gwyn	Sara	P
13	2659	James	Dillon	NP
14	2559	Johnson	Ginger	NP
15	2535	Marks	Kristina	P
16	2552	McDaniels	Darrell	P
17	2648	McKinney	Marcus	P
18	2669	Murphy	Valeria	P
19	2643	Myers	Kaley	P
20	2602	Nelson	Jeff	NP
21	2603	Nguyen	Loc	P
22	2485	Parker	Perry	NP
23	2598	Parker	Savannah	P
24	2616	Parsons	Evan	P
25	2574	Patterson	Niketa	P
26	2594	Peterson	Jessica	P
27	2587	Powell	Maria	P
28	2513	Price	Steven	P
29	2542	Robertson	Cody	P
30	2620	Robertson	Tyler	NP
31	2650	Robinson	Martin	P
32	2595	Rollick	David	P
34	2502	Scott	Pamela	NP
35	2586	Smith	Hugh	P
36	2621	Snyder	Jacob	P
37	2550	Spence	Noelle	P
38	2546	Suwal	Tripti	P
39	2579	Wall	Brian	P
40	2539	White	Sean	P

**Education Committee Recommendation: Accept NC REHS exam scores as presented.**

**Interns for Approval**

Intern	#	Employer	Application Category
1. Boggs; James Dixon	2714	Iredell	Regular, 2-year
2. Davis; Jeremy Rashad	2715	RPM	Regular, 1-year
3. Nesbitt; Amanda Hill	2716	Lincoln	Regular, 2-year
4. Redden; Kevin Bradley	2717	Union	Regular, 2-year
5. Rockholt; Lailani Nicholette	2718	Moore	Regular, 1-year <sup>(1)</sup>
6. Wood; Elijah Dale	2719	MTW	Regular, 1-year
7. Canfield; Stephanie M	2720	Onslow	Regular, 2-year; Military Spouse, no previous experience
8. Parrish; Nicole Allman	2721	Jackson	Regular, 2-year
9. Hewett; Travis Cain	2722	Brunswick	Previous Qualifying NC Experience (passed NC REHS exam in 2006; practiced for 3 years (2005-2008)) <sup>(2)</sup>
10. Bowling; Richard Franklin	2723	Johnston	Previous Qualifying NC Experience (passed NC REHS exam in 2008; practiced for 18 months (2007-2009) before former county of employment eliminated his position in 2009 due to budget reductions) <sup>(3)</sup>
11. Evans; Dean Allen	2724	Caldwell	Regular, 1-year
12. Morrison; Sean Warren	2725	Onslow	Regular, 2-year
13. Blum; Dietrich Jacob	2726	New Hanover	Regular, 2-year
14. Wyatt; Jessica Ann	2727	New Hanover	Regular, 2-year
15. Caudill; Grant Austin	2728	Surry	Regular, 2-year

<sup>1</sup> Practiced EH in Virginia and has passed the NEHA exam; plans to submit credentials for future Board consideration of “fast tracking”

<sup>2</sup> Based on (1) passing exam in 2006 and (2) previous practice of 3 years in NC, Education Committee recommends Board approve fast tracking to full REHS status upon Mr. Hewett's successful completion of Centralized Intern Training in spring 2018. Full status approval to come to Board after confirmation of CIT completion.

<sup>3</sup> Based on (1) passing exam in 2008 and (2) previous practice of 18 months in NC, Education Committee recommends Board approve fast tracking to full REHS status upon Mr. Bowling's completion of 6 months at intern level and successful completion of Centralized Intern Training (CIT). Full status approval to come to Board after confirmation of CIT completion.

**Education Committee Recommendation: Approve NC REHS Intern status for interns as presented.**

**Interns Eligible for REHS Status**

REHS #	Name		County/Agency	Effective Date
1. 2525	Clark	John	Appalachian District	10/27/17
2. 2530	Currin	Adam	Granville	10/27/17
3. 2506	Davenport	Bryan	Mecklenburg	10/27/17
4. 2512	Fisk	Matthew	Appalachian District	10/27/17
5. 2535	Marks	Kristina	Wake	10/27/17
6. 2603	Nguyen	Loc	Craven	10/27/17
7. 2598	Parker	Savannah	Mecklenburg	10/27/17
8. 2574	Patterson	Niketa	Durham	10/27/17
9. 2594	Peterson	Jessica	Toe River	10/27/17
10. 2587	Powell	Maria	Wake	10/27/17
11. 2513	Price	Steven	Catawba	10/27/17
12. 2542	Robertson	Cody	Henderson	10/27/17
13. 2595	Rollick	David	Mecklenburg	10/27/17
14. 2550	Spence	Noelle	Durham	2/8/18
15. 2579	Wall	Brian	Wake	10/27/17
16. 2539	White	Sean	Gaston	10/27/17

**Education Committee Recommendation: Grant full NC REHS status based on interns completing all statutory requirements.**

**Interns with Previous Experience (“Fast Track”)**

1. 2650	Robinson	Martin	Guilford	10/27/17 <sup>(1)</sup>
2. 2634	Gunter	Jeffrey	Wake	2/16/18 <sup>(2)</sup>

<sup>1</sup> Practiced EH in Virginia (2010 to 2015); passed the NC REHS exam on 10/27/17; completed CIT; practiced EH in Guilford since March 2017; Education Committee recommends “fast tracking” by accepting previous experience in lieu of requiring second year of intern period.

<sup>2</sup> Practiced EH in Georgia (2005 to 2017) and has passed the NEHA exam in 2014; practiced EH in Wake since February 2017; completed NC CIT; Education Committee recommends “fast tracking” by accepting previous experience and exam scores in lieu of requiring second year of intern period.

**Education Committee Recommendation: Grant full NC REHS status by accepting previous experience and exam scores in lieu of requiring second year of intern period as above noted.**

**Medical Waiver**

In accordance with Board's Continuing Education Waivers and Exemptions Policy, Sylvia Daniel, REHS #640, a retiree, has requested a continuing education based on a disabling condition. A confidential copy of Ms. Daniel's request will be available for review at the 2/16/18 board meeting.

**Education Committee Recommendation: Grant disabling condition waiver as requested by Sylvia Daniel, REHS #640.**

**Board Action. Daniel Ortiz made a motion for the Board to approve the Education Committee Report and Recommendations. Jessica Silver seconded the motion. Larry Michael recused himself from voting on Loc Nguyen, Seth Swift recused himself from voting on Cody Robertson, Lisa Ford recused herself from voting on Grant Caudle, William Hill recused himself from voting on Jeremy Davis, Elijah Wood, Loc Nguyen, Savannah Parker, Niketta Patterson and Bryan Wall, all citing conflicts of interest.**

**Education Committee Discussion**

**Board Approval of ServSafe Courses**

The Education Committee has reviewed the Board's current policy regarding ServSafe courses and the historical background leading to the adoption of the current policy.

**From 8/1/2002 Minutes**

4.

**ServSafe Courses**

Education Committee discussed. It was felt that policy should be that an individual who might teach a ServSafe Course could get credit for teaching one time. Also, we would give credit to those individuals who need to get certified as teachers to become instructors. We would not give continuing education credit for the majority of environmental health specialists. Discussed at length by Board members. Mr. Blalock asked the question – “Do we want to allow the average environmental health specialist, working in the field, get credit for attending ServSafe classes. There was more discussion and some disagreement on this question.. Mr. Salmen stated we have approved these courses for the last 10 years, and that we have approved some of the ServSafe courses earlier this year.

**Board Action: A motion was made by Malcolm Blalock, seconded by Nilla Sloop that the Board adopt a policy of not accepting continuing education credit for environmental health specialists who take Serv Safe Courses effective January 1, 2003. All votes affirmative.**

## Continuing Education Waivers and Exemptions

Original Effective Date: 10/07/2010  
Approved by: Patricia Hawkins, Chair

This Revision Effective: 10/07/2010  
Date Approved: 10/07/2010

Most recent review: date  Initials

Category: CONTINUING EDUCATION

### **1.0 POLICY**

Waivers of continuing educational requirements will be granted by the board to individuals with disabling conditions or exemption from continuing educational requirements for those called to active military duty which would prevent their attendance at approved courses.

### **2.0 PURPOSE**

To provide guidance, consistency, and continuity of Board actions regarding the waiving of continuing educational requirements where an REHS can demonstrate a disabling condition or in cases where an REHS has been called to active military service.

### **3.0 DEFINITIONS**

### **4.0 PROCEDURE**

- 4.1** An REHS who is disabled may request a variance in continuing education hours during the period of disability. The Board may grant or deny requests for variance in continuing education hours based on a disabling condition on a case by case basis. In reviewing such requests the Board will take into consideration the particular disabling condition involved and its effect on the REHS's ability to complete the required hours. The Board may also require additional documentation substantiating any specified disability.
  - 4.1.1 An REHS requesting a variance based on a disabling condition shall notify the Board in writing and provide specific details of the disabling condition, the manner in which that condition would prevent completion of the required CE hours, and the time period for which the variance is requested.
  - 4.1.2 An REHS shall request such a variance at least annually in cases where the disability exceeds 12 months in duration.
- 4.2** An REHS who has been called to active military duty may request an exemption from continuing education requirements during the period of the active service. The Board shall grant such a request based on official, verifiable documentation such as written orders from their military unit, provided to the Board by the REHS.

There was agreement among Board members that ServSafe offers valuable training for NC REHS individuals. There was also agreement individuals should not receive continuing education credit for teaching a ServSafe class. Based on consensus of the Board, the Education Committee will bring a revised Continuing Education Waivers and Exemptions Policy to a future meeting.

### **Legislative Update – Larry Michael**

The periodic review of State Environmental Health Rules is currently underway. Final determination of the reviewed Rules is scheduled for October 2018.

### **Chair and Vice Chair Appointment**



**Board Action.** **Seth Swift made a motion to reappoint Phil Thompson as Board Chair, Larry Michael as Board Vice Chair and Carl Kivett as Board Secretary/Treasurer. Melanie Campen seconded the motion. All votes affirmative.**

### **Board Committees**

**Board Action.** **Jessica Silver made a motion to appoint Lisa Ford to the Internal Audit Committee. Drew Morgan seconded the motion. All votes affirmative.**

**Board Action.** **Drew Morgan made a motion to appoint William Hill to the Education Committee. Lisa Ford seconded the motion. All votes affirmative.**

**Board Action.** **Daniel Ortiz made a motion to appoint Carl Kivett as the Board's Ethics Liaison. Greg Caudle seconded the motion. All votes affirmative.**

### **NC REHS Exam Update – Options for NEHA Portion of Exam**

Donna Coffey has contacted NEHA regarding options for offering exam candidates the option to take the NEHA exam online directly through a NEHA approved testing site as well as via Board administered paper test on Board approved test dates.

**Board Action.** **Drew Morgan made a motion for the Board to offer examinees the option of taking the NEHA portion of the NC REHS exam at a NEHA approved testing center as soon as practical and approved by NEHA.**

### **NC REHS Applicant Categories**

Donna Coffey reported that there has been a significant increase in the non-traditional registration applications to include individuals with both in-state and out-of-state experience as well as military applicants. She shared the following chart with Board members for information only and noted that she plans to work with the webmaster to post it to the Board's homepage.

## **Types of Registration Applications NC Registered Environmental Health Specialist (REHS)**

### **Eligibility**

In order to practice environmental health in North Carolina, an individual must meet three minimum requirements:

- **Employment** - Be employed pursuant to [North Carolina General Statute 90A-51 \(2a\)](#); and
- **Education** – Possess a 4-year bachelor's degree with at least 30 college semester hours in the [physical/biological sciences](#) in accordance with [North Carolina General Statute 90A-53 \(a\) \(3\)](#); and
- **Character** - Be of good moral and ethical character pursuant to [21 NCAC 62 .0415](#) and [North Carolina General Statute 90A-64](#)

**Intern Definition**

As it relates to NC REHS, [NC General Statute 90A 51 \(5\)](#) defines “intern” as “a person who possesses the necessary educational qualifications as prescribed in, but who has not completed the experience and specialized training requirements in the field of public health sanitation as required for registration.”

**NC REHS Applicant Categories**

While the Board considers each application on a case-by-case basis, the chart below offers a general checklist to use in determining which category best fits your particular background.

Applicant Category	Previous EH Experience and/or Credentials	Intern Period	NC REHS Exam Required <sup>(2)</sup>	Required to Complete NC Centralized Intern Training (CIT) <sup>(3)</sup>	Required to Complete (SOP) EH Law Course <sup>(4)</sup>
<b>Applicant with No Previous North Carolina Qualifying Experience and/or No Credentials</b>					
1. Environmental Health Degree from Program Accredited by the National Environmental Health & Science Protection Accreditation Council (EHAC)	No	No less than 1 year <sup>(1)</sup>	Yes	Yes	Yes
2. Degree Other than Environmental Health Degree from Program Accredited by the National Environmental Health & Science Protection Accreditation Council (EHAC)	No	No less than 2 years <sup>(1)</sup>	Yes	Yes	Yes
<b>Applicant with Previous North Carolina Qualifying Experience and/or Credentials (For information regarding Authorizations, click <a href="#">here</a>)</b>					
3. Current NC Registration, Practiced Within Last 3 years (Unaffiliated or Retired)	Yes	Determined on case-by-case basis in accordance with NC General Statutes	No with confirmation of previous passing scores	Yes	Yes
4. Current NC Registration, Last Practiced More Than 3 Years Ago (Unaffiliated or Retired)	Yes			Yes	Yes
5. Lapsed NC Registration, Not Currently Practicing	Yes			Yes	Yes
<b>Applicant with Out-of-State Qualifying Experience and/or Credentials</b>					
6. Current Out-of-State Registration, Not Currently Practicing	Yes	Determined on case-by-case basis in accordance with NC General Statutes	Board will accept confirmed NEHA score if the score meets NC REHS passing thresholds; Board may require applicant to take essay and interview portions of NC REHS exam	Yes	Yes
7. Lapsed Out-of-State Registration, Not Currently Practicing	Yes			Yes	Yes
<b>Military</b>					
8. Practiced Environmental Health While Enlisted	Yes	Determined on case-by-case basis in accordance with NC General Statutes	Determined on case-by-case basis in accordance with NC General Statutes	Yes	Yes
9. Did Not Practice Environmental Health While Enlisted	No			Yes	Yes

<b>Military Spouse</b>
10. With No Previous Experience - Refer to Sections 1 & 2 of this chart
11. With Previous North Carolina Experience and Credentials - Refer to Sections 3 through 5 of this chart
12. With Previous Out-of-State Qualifying Experience and/or Credentials – Refer to Sections 6 & 7 of this chart
13. With Previous Military Experience – Refer to Sections 8 & 9 of this chart

### **Footnotes**

- (1) **Intern Period** - Depending on your baccalaureate or postgraduate degree completed, you must practice environmental health one or two years from the date of Board approval as an intern. If you have an Environmental Health degree (baccalaureate or postgraduate) from a college/university accredited by the National Environmental Health & Science Protection Accreditation Council (EHAC), you would qualify as a one-year intern, otherwise you would be a two-year intern.
- (2) **NC REHS Exam** – The NC REHS exam consists of three components – National Environmental Health Association (NEHA) standardized exam, board interview and written essay. You must pass the exam within three years of your registration approval date. Board Rules require that you score 60% or higher on each component part of the examination and an overall weighted average score of 70%. You may take the NC REHS exam any time after the Board has approved your registration application. Click [here](#) for the Board’s 2018 exam schedule. If you do not pass the exam within your applicable intern period, your intern period can be extended to a maximum of three years from your initial Board approval date. If you do not pass the exam within the mandated maximum three-year period, your registration and authorizations will expire, and you will no longer be eligible to practice environmental health in North Carolina.
- If you have taken the NEHA exam, the Board will accept your score upon verification from NEHA, if the score meets the passing thresholds noted earlier.
- (3) **Centralized Intern Training (CIT)** – You must complete Centralized Intern Training in accordance with NCDHHS Environmental Health CIT Policies and Procedures (<http://ehs.ncpublichealth.com/oet/cit.htm>).
- (4) **State of Practice (SOP) Environmental Health Law Course** - Within 4 years of your registration approval date, you must complete the SOP Environmental Health Law Course

### **Website/Home Page Refresh**

Donna reported that she and Tobin Shepherd, webmaster, have met to discuss refreshing the Board’s web page and digital front door and asked Board members to email or call with suggestions/ideas. No Board action required.

At 11:43 a.m., Board Chair Phil Thompson reported that there was a need to meet in closed session pursuant to reasons previously stated.

**Board Action: Drew Morgan made a motion to move into Closed Session pursuant to reasons stated earlier. Daniel Ortiz seconded the motion. All votes affirmative.**

At 11:52 a.m., the Board moved back into open session.

Chair Phil Thompson announced that in consideration for outstanding work performance in 2017, the Board shall award Donna Coffey a one-time lump sum bonus of \$1,500, net of taxes, payable during the 2018 calendar year.

**Board Action: Drew Morgan made a motion to pay Donna Coffey a one-time lump sum bonus of \$1,500, net of taxes, payable during the 2018 calendar year. Seth Swift seconded the motion. All votes affirmative.**

**2018 Renewal Audit**

The Board conducted its annual audit of 2018 NC REHS renewal applications. Board members randomly selected and audited 114 renewal applications (10% of active registrants). Audited renewal applications were cross referenced to verify attendance via sign in rosters and certificates. 100% of the renewals had sufficient verification of attendance of continuing education. In addition to verification of attendance, the Board conducted an internal financial audit of those 114 applications by tracing the payments to Quick Books, RSTAS and to the credit union deposit slips. No problems were noted in the financial transactions.

**Adjourn**

**Board Action. Ann Absher made a motion to adjourn the meeting at 3:10 p.m. Seth Swift seconded the motion. All votes affirmative.**

Respectfully submitted,  
Carl Kivett, REHS  
Secretary-Treasurer  
February 16, 2018