

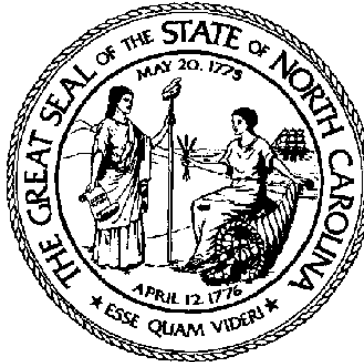
NC STATE BOARD OF ENVIRONMENTAL HEALTH SPECIALIST EXAMINERS
PO Box 238, Efland, NC 27243

Executive Committee

Felissa Vazquez, REHS, Chair
*Buncombe County Environmental Health
Food & Lodging Supervisor
Asheville, NC*

Larry Michael, REHS, Vice-Chair
*State of North Carolina
Environmental Health Director/Section Chief
Raleigh, NC*

**Rebecca Rosso, REHS,
Secretary/Treasurer**
*Alamance County Environmental Health
Director
Burlington, NC*



Members

Bibianna Contti, New Bern, NC
Gregory Caulder, REHS, Lumberton, NC
Lisa Halbedl, REHS, Elkin, NC
William Hill, Greenville, NC
Carl Kivett, REHS, Pittsboro, NC
Davin Madden, REHS, Lincolnton, NC
Andrew Morgan, REHS, Cary, NC
Daniel Ortiz, REHS, Autryville, NC
Phil Thompson, REHS, Gibsonville, NC

Donna Coffey, Assistant to Board

The North Carolina State Board of Environmental Health Specialist Examiners will hold a regular business meeting on Friday, June 24, 2022, at 10:00 a.m. The Board will meet in-person at the Pitt Community College, Goess CIT Building, 2084 Warren Drive, Winterville NC 28590. The meeting will also be available via Zoom by clicking [here](#). Contact Donna Coffey at rehs.board@dhhs.nc.gov or (919) 304-1168 for additional information.

Agenda for June 24, 2022

1) Call to Order – Felissa Vazquez, Chair

- a) Conflict of Interest per NC General Statute 138A, "State Government Ethics Act" (**Reference Document:** *Avoiding Conflicts of Interest, "Recusal Guidelines for Public Servants", pages 3 to 7*)
- b) Meeting Attendance Reminder in accordance with Governor Purdue's Executive Order 34 (**Reference Document:** *Executive Order Number 34, Ethics and Attendance Standards for Gubernatorial Appointees to Boards, pages 8 to 9*)

2) NC General Statute 166A-19.24, Remote Meetings During Certain Declarations of Emergency – John Barkley, Board Attorney.

Executive Order 256, issued by Governor Cooper on April 1, 2022, extended North Carolina's State of Emergency through July 15, 2022 (**Reference Document:** *NC General Statute 166A-19.24, Remote Meetings During Certain Times of Declarations of Emergency, pages 10 to 11*).

3) Welcome New Board Member - Bibianna Contti, Eastern NC Representative Governor Cooper Appointee

4) Agenda Approval (including additions or deletions)

5) Executive Committee and Assistant to Board Reports

- a) Chair Report – Felissa Vazquez
- b) Vice-Chair Report – Larry Michael
- c) Secretary/Treasurer Report – Rebecca Rosso (**Reference Document:** *6/1/2022 Cash & Investments Report, page 12*)
 - **Recommended Board Action:** *Review and accept 6/1/2022 Cash & Investments Report*

(Agenda continued to previous page)

(Agenda continued from previous page)

- d) Financial Report – Donna Coffey (**Reference Document:** 6/15/2022 Revenue and Expense Report, pages 13 - 14)

- **Recommended Board Action:** Review and approve 06/15/2022 Revenue and Expense Report

- e) Board Minutes – Donna Coffey (*No minutes*)

- f) Admin Assistant Report - Donna Coffey (*Reference Documents: Looking Beyond 2022, page 15*)

- **Recommended Board Action:** Receive report

6) Committee Reports

- a) Education Committee – *Reference Document: Education Committee Report, 6/24/2022, page 16*)

- **Recommended Board Action:** Review and approve 6/24/22 Education Committee Report.

- b) Legislative Update – Larry Michael (*No reference document*)

- c) Staffing Plan Committee – Felissa Vazquez (*No reference document*)

7) Update on Previous Business

- a) Update: NCREHS Education Requirements and Environmental Health Technician Legislative Proposal - Larry Michael (*Reference Document: Draft GS 90A-53 Proposal, pages 17-18*)

- **Recommended Board Action:** As the Board decides

- b) Update: Board Member Appointment Recommendations and Upcoming Board Seats – Donna Coffey (*Reference Document: Board Members in Order of Term End Date, page 19*)

- **Recommended Board Action:** As the Board decides

8) Other/New Business

Reminder – Remaining 2022 Exams and Meetings

- **September 23 – Regular Meeting followed by Closed Session to update essay & interview questions (Mebane, NC)**
- **October 20 – Exam (Mebane, NC)**
- **October 21 – Regular Business Meeting followed by Closed Session to update essay & interview questions (Mebane, NC)**
- **December 9 – Business Meeting (Raleigh, NC)**

9) Adjourn

AVOIDING CONFLICTS OF INTEREST
****RECUSAL GUIDELINES FOR PUBLIC SERVANTS****

I. Introduction

Members of State boards and State employees (“public servants”) who are subject to the State Government Ethics Act (“Ethics Act”) are obligated to constantly monitor situations in which their personal or business interests may conflict with their official duty to represent the interests of the general public (“conflict of interest”). Ensuring that those public servants’ official decisions are not influenced by their personal or business interests is central to representational democracy and to their obligation to the citizens of North Carolina.

Because public servants are often active members of their community, it is not uncommon for them to be asked to vote or otherwise participate in matters that may impact their financial interests or those of their family members. Although such conflicts of interest will usually not prevent the public servant’s continued service, they may restrict the public servant’s official participation in a particular matter.

What follows is a brief overview of the conflict of interest standards established in the Ethics Act and a discussion of what public servants should do when they have a conflict between their official activities and their or their family’s personal financial interests.

II. Conflicts of Interest According to the Ethics Act

Although we each may have our own concept of what a conflict of interest is, the Ethics Act has established specific standards that a public servant must follow. Those standards list those particular interests that may interfere with the public servant’s ability to represent the public’s interests.

A. Official Actions That May Result in a Reasonably Foreseeable Financial Benefit to the Public Servant, the Public Servant’s Family, or a Business/Non-Profit With Which the Public Servant Has a Relationship

The Ethics Act¹ restricts a public servant from taking *official action*² if that action may result in a reasonably foreseeable *financial benefit*³ to the following individuals and entities:

¹ G.S. 163A-216(a).

² Defined in G.S. 163A-152(56). Generally, “any decision” to be made in the public servant’s official capacity.

³ Defined as a “direct pecuniary gain or loss” or a “direct pecuniary loss to a business competitor.” G.S. 163A-152(30).

1. The public servant or a member of the public servant's extended family;⁴
2. The public servant's client;
3. The public servant or immediate family member's⁵ employer;
4. A business or non-profit company of which the public servant or immediate family member is a lobbyist, governing board member, partner, or officer;
5. A business in which the public servant or immediate family member owns an interest of \$10,000 or more, or 5% of the business, whichever is less.

It is important to understand that this conflict of interest standard is triggered only if the financial benefit resulting from a public servant's official action would result in a reasonably foreseeable financial benefit to the interest listed above. It does not apply where any financial benefit resulting from the official action is remote, tenuous, or speculative.

Once it is determined that a public servant's proposed action could result in a reasonably foreseeable financial benefit, a conflict of interest exists if:

1. That financial benefit would impair the public servant's judgment or
2. It could be reasonably inferred that the public servant's judgment would be impaired.

B. Declining to Take Official Actions in Formal Proceedings Where the Public Servant has a Personal, Financial, or Familial Relationship with a Participant

Public servants are also restricted from taking certain official actions in "proceedings" where the public servant's impartiality could be questioned due to his/her familial, personal, or financial relationship with a participant.⁶ This restriction specifically applies to quasi-legislative (rulemaking) and quasi-judicial (hearings and investigations) proceedings. This conflict of interest standard is much broader than the "financial benefit" standard established by G.S. 163A-216(a) as it can apply to any actions, not just those that may result in a financial benefit, and extends to individuals and entities with whom the public servant has a "personal" relationship.

⁴ Extended family includes the public servant's and his/her spouse's children, grandchildren, parents, grandparents, and siblings, and the spouses of each of those persons. G.S. 163A-152(25).

⁵ A public servant's spouse and minor children, along with those extended family members that reside in the public servant's household. G.S. 163A-152(40).

⁶ G.S. 163A-216(c).

C. Particular Situations Where a Public Servant May Take Official Action Even, Where a Conflict Exists (Conflicts Exceptions)

In the following circumstances a public servant with a conflict of interest may still take official action:⁷

1. Where the public servant's action would affect the public servant's interests in the same manner as it would impact a large group of similarly-situated individuals or entities (the so-called "class exception").
2. Where the public servant's action is "ministerial," generally an action that is required without exercise of personal judgment or discretion.
3. Where the public servant provides written notice to the State Board of Elections and Ethics Enforcement ("State Board") that the public servant is the only person with legal authority to take the particular action and describes the nature of the conflict of interest.

III. Help with Identifying Conflicts of Interest

Because the conflict of interest standards of the Ethics Act are fairly technical, public servants should seek clarification if they are unsure if they have a conflict of interest or it is unclear whether an exception applies. The Ethics Act offers the following options to obtaining that guidance.

A. Seeking a Formal or Informal Advisory Opinion from the State Board or Board Staff

The Ethics Act provides that a public servant may participate in an official action if, prior to the action, the public servant received a written advisory opinion from the State Board of Elections and Ethics Enforcement authorizing the public servant to take the action in question. A public servant may also request an advisory opinion from the State Board's staff prior to taking the action in question.⁸

B. Seeking a Determination by the Public Servant's Board or Employing Entity

In the event the public servant was unable to obtain an opinion from the State Board or Board staff in advance of taking the official action, the public servant may request that the agency or board issue a written determination that the interest in question would not influence the public servant's participation in the official action. A copy of that written determination must be filed with the State Board.⁹

⁷ G.S. 163A-218(a).

⁸ G.S. 163A-218(a)(3). Although only opinions from the Board provide immunity to the public servant against complaints and investigations by the Board, staff opinions will be given deference by the Board

⁹ G.S. 163A-218(a)(4).

Even in those cases in which the public servant is disqualified from taking official action because of a conflict of interest, the covered person may be counted for the purposes of a quorum. This circumstance should be recorded in the minutes of the board meeting.¹⁰

IV. What To Do Once a Conflict of Interest is Identified--Recusal

Once a public servant decides that he/she has a conflict of interest and none of the exceptions outlined above would allow the public servant to participate, the Ethics Act requires that the public servant “abstain from taking any verbal or written action in furtherance of the official action.”¹¹ This is often referred to “recusal,” where a public official does not participate in a particular matter due to a conflict of interest.

The Ethics Act requires that a public servant who decides not to participate in a matter submit written reasons for the “abstention” to the agency or board. In addition, if the public servant serves on a State board, the “abstention” must be recorded in the board’s minutes. Although the particular actions that the public servant should avoid will vary according to the circumstances, the public servant should also do the following:

A. Decline to Vote or Make a Decision on the Matter

The public servant serving on a board shall not vote on the matter. A public servant who is a State employee shall not make a determination on the matter and shall identify another official to make that determination in his or her place.

B. Decline to Participate in Discussions of the Matter

Whether the public servant is acting as a member of the State board or as a State agency employee, the public servant should avoid participating in verbal or written discussions about the matter with staff, fellow board members, interested parties, and members of the media or the public. This includes both formal discussions of the full board or a board committee or informal conversations concerning the matter.

C. Not Seek or Accept Information Concerning the Matter

Whether the public servant is acting as a member of the State board or as an agency employee, the public servant should not be provided with or accept non-public information related to the matter or request such information. This would include information accepted or requested from fellow board members, interested parties, or the staff of the board or agency.

Because the Ethics Act restricts a public servant with a conflict of interest from taking “verbal or written action in furtherance of” an official action, it does not require that the public servant leave

¹⁰ G.S. 163A-218(a)(6).

¹¹ G.S. 138A-36(b).

the room or a meeting where the matter is being discussed. However, the Ethics Board recommends that public servants consider leaving the room in order to ensure that those present at the meeting are not influenced by the public servant's presence or interest in the matter.

V. Penalties for Violating Conflict of Interest Standards

A public servant's willful failure to ignore the Ethics Act's conflict of interest standards may result in the public servant's removal from his/her board or position at a State agency. The Board has authority to investigate alleged violations of those standards.

Constitutional due process principles may also require that the action of a board or a State agency be set aside where an official with a conflict of interest participated in the board or agency's consideration of the matter.

VI. Additional Conflict of Interest Standards

Each State board and agency may have additional conflict of interest provisions established by agency-specific laws, rules, or guidelines. In addition, State law¹² places particular restrictions on State and local officials involved in public contracting with private companies in which the official has a particular financial interest. Those restrictions may prohibit an entire board from taking action on a contract even where the interested board member does not participate in the decision. Therefore, public servants are advised to consult with agency legal counsel for guidance on these additional restrictions.

State of North Carolina



BEVERLY EAVES PERDUE
GOVERNOR

EXECUTIVE ORDER NUMBER 34

ETHICS AND ATTENDANCE STANDARDS FOR GUBERNATORIAL APPOINTEES TO BOARDS

WHEREAS, the Governor appoints members to various boards, commissions, committees, councils, and similar entities (hereinafter “boards”); and

WHEREAS, it is essential for the public and the Governor to have confidence in the members of boards and the work done by such boards; and

WHEREAS, gubernatorial appointees to boards must maintain the highest ethical and board attendance standards; and

WHEREAS, the failure of appointees to maintain high ethical standards erodes public confidence in the actions of boards; and

WHEREAS, the excessive absences of appointees from board meetings diminishes the effectiveness of the entire board.

NOW, THEREFORE, by the power vested in me as Governor by the Constitution and laws of the State of North Carolina, **IT IS ORDERED**:


1. In transacting board business, each person appointed by the Governor shall act always in the best interest of the public without regard for her or his financial interests. To this end, each appointee must recuse herself or himself from voting on any matter on which the appointee has a financial interest.
2. No person appointed by the Governor to serve on a board shall accept a gift from any contractors, subcontractors, or suppliers of the appointee’s board. This provision does not prohibit an appointee from accepting a gift that would be permitted under the State Ethics Act, regardless of whether the appointee is covered by the State Ethics Act.

3. If any person appointed by the Governor to serve on a board is indicted for a felony by a state or federal grand jury or fails to fully cooperate in an investigation conducted by a state or federal agency pursuant to law, such action shall constitute grounds for removal from the board for misfeasance, malfeasance, or nonfeasance pursuant to N.C. Gen. Stat. § 143B-13(d), N.C. Gen. Stat. § 143B-16, or other applicable statutes or regulations.
4. All persons appointed by the Governor to serve on a board shall attend at least 75 percent of all regularly scheduled meetings of the board during the board's calendar year. Failure of a board member to attend board meetings in a manner consistent with this Order shall constitute grounds for removal from the board for misfeasance, malfeasance, or nonfeasance pursuant to N.C. Gen. Stat. § 143B-13(d), N.C. Gen. Stat. § 143B-16, or other applicable statutes or regulations.

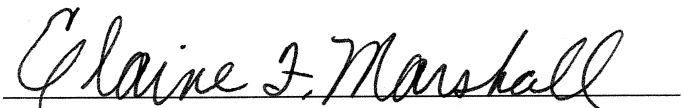
This Executive Order shall be effective immediately and shall remain in effect until rescinded.

IN WITNESS WHEREOF, I have hereunto signed my name and affixed the Great Seal of the State of North Carolina at the Capitol in the City of Raleigh, this ninth day of December in the year of our Lord two thousand and nine, and of the Independence of the United States of America the two hundred and thirty-fourth.




Beverly Eaves Perdue
Governor

ATTEST:


Elaine F. Marshall
Secretary of State

§ 166A-19.24. Remote meetings during certain declarations of emergency.

(a) Remote Meetings. – Notwithstanding any other provision of law, upon issuance of a declaration of emergency under G.S. 166A-19.20, any public body within the emergency area may conduct remote meetings in accordance with this section and Article 33C of Chapter 143 of the General Statutes throughout the duration of that declaration of emergency. Compliance with this statute establishes a presumption that a remote meeting is open to the public.

(b) Requirements. – The public body shall comply with all of the following with respect to remote meetings conducted under this section:

- (1) The public body shall give proper notice under G.S. 143-318.12 and under any other requirement for notice applicable to the public body. The notice shall also specify the means by which the public can access the remote meeting as that remote meeting occurs.
- (2) Any member of the public body participating by a method of simultaneous communication in which that member cannot be physically seen by the public body must identify himself or herself in each of the following situations:
 - a. When the roll is taken or the remote meeting is commenced.
 - b. Prior to participating in the deliberations, including making motions, proposing amendments, and raising points of order.
 - c. Prior to voting.
- (3) All documents to be considered during the remote meeting shall be provided to each member of the public body.
- (4) The method of simultaneous communication shall allow for any member of the public body to do all of the following:
 - a. Hear what is said by the other members of the public body.
 - b. Hear what is said by any individual addressing the public body.
 - c. To be heard by the other members of the public body when speaking to the public body.
- (5) All votes shall be roll call; no vote by secret or written ballots, whether by paper or electronic means or in accordance with G.S. 143-318.13(b), may be taken during the remote meeting.
- (6) The public body shall comply with G.S. 143-318.13(c).
- (7) The minutes of the remote meeting shall reflect that the meeting was conducted by use of simultaneous communication, which members were participating by simultaneous communication, and when such members joined or left the remote meeting.
- (8) All chats, instant messages, texts, or other written communications between members of the public body regarding the transaction of the public business during the remote meeting are deemed a public record.
- (9) The remote meeting shall be simultaneously streamed live online so that simultaneous live audio, and video, if any, of such meeting is available to the public. If the remote meeting is conducted by conference call, the public body may comply with this subdivision by providing the public with an opportunity to dial in or stream the audio live and listen to the remote meeting.

(b1) If a public body has provided notice of an official meeting and one or more of the members of the public body desire to participate remotely after the issuance of the notice, the public body may amend the notice of the meeting to include the means whereby the public can access the remote meeting as that remote meeting occurs. Such amended notice of remote meeting shall comply with all of the following:

- (1) Be issued no less than six hours prior to the official meeting.

- (2) Be distributed in accordance with G.S. 143-318.12(b)(2) and (b)(3), as applicable.
 - (3) Be posted in accordance with G.S. 143-318.12(e).
- (c) Quorum. – A member of the public body participating by simultaneous communication under this section shall be counted as present for quorum purposes only during the period while simultaneous communication is maintained for that member. The provisions of G.S. 153A-44 and G.S. 160A-75 shall apply to all votes of each member of a county or municipal governing board taken during a remote meeting.
- (d) Voting by Members of the Public Body. – Votes of each member of a public body made during a remote meeting under this section shall be counted as if the member were physically present only during the period while simultaneous communication is maintained for that member.
- (e) Public Hearings. – A public body may conduct any public hearing required or authorized by law during a remote meeting, and take action thereon, provided the public body allows for written comments on the subject of the public hearing to be submitted between publication of any required notice and 24 hours prior to the scheduled time for the beginning of the public hearing.
- (f) Quasi-Judicial Hearings. – A public body may conduct a quasi-judicial proceeding as a remote meeting only when all of the following apply:
 - (1) The right of an individual to a hearing and decision occur during the emergency.
 - (2) All persons subject to the quasi-judicial proceeding who have standing to participate in the quasi-judicial hearing have been given notice of the quasi-judicial hearing and consent to the remote meeting.
 - (3) All due process rights of the parties affected are protected.
- (g) Closed Sessions. – The public body may conduct a closed session as authorized in G.S. 143-318.11. While in closed session, the public body is not required to provide access to the remote meeting to the public.
- (h) Not Exclusive. – This section applies only during emergency declarations and does not supersede any authority for electronic meetings under Article 33C of Chapter 143 of the General Statutes.
- (i) Definitions. – For purposes of this section, the following definitions apply:
 - (1) Official meeting. – As defined in G.S. 143-318.10(d).
 - (2) Public body. – As defined in G.S. 143-318.10(b) and (c).
 - (3) Remote meeting. – An official meeting, or any part thereof, with between one and all of the members of the public body participating by simultaneous communication.
 - (4) Simultaneous communication. – Any communication by conference telephone, conference video, or other electronic means. (2020-3, s. 4.31(a); 2021-35, s. 1.)

Cash and Investments

6/1/2022

State Employees Credit Union Checking, Share and Money Market Share Accounts		6/1/2022
Checking		\$9,069.12
Money Market		\$120,122.55
Share		\$38.01
Totals		\$129,229.68
Short Term Investment Fund (STIF) with NC		
Treasurer's Office		\$14,264.00
Total Cash and Investments		\$143,493.68

NC State Board of Environmental Health Specialist
Year-to-Date Actuals Compared to Budget
January through May 2022

	Jan - May 22	Budget	\$ Over Budget	% of Budget	Comments
1 Income					
2 Exam Receipts					
3 Essay/Interview Exam	3,050.00	4,000.00	(950.00)	76.25%	Budgeted for 80; 61 registered to-date
4 NEHA Exam	15,450.00	26,000.00	(10,550.00)	59.42%	Budgeted for 92; 55 registered to-date
5 Total Exam Receipts	18,500.00	30,000.00	(11,500.00)	61.67%	
6 Interest Earned	99.50	200.00	(100.50)	49.75%	On target with budget
7 Registration Applications					
8 Applicants w/ No Previous Expe	1,950.00	5,000.00	(3,050.00)	39.0%	Large outstanding deposit to be made late-June 2022
9 Applicants w/ Previous Exper	100.00	200.00	(100.00)	50.0%	On target with budget
10 Out-of-State Applicant	150.00	250.00	(100.00)	60.0%	On target with budget
11 Total Registration Applications	2,200.00	5,450.00	(3,250.00)	40.37%	
12 Renewals and Related Fees					
13 Annual Renewals	55,400.00	55,000.00	400.00	100.73%	1100 budgeted; 1108 actual
14 Renewals After 12/31	2,525.00	2,000.00	525.00	126.25%	26 budgeted; 34 actual
15 Total Renewals and Related Fees	57,925.00	57,000.00	925.00	101.62%	
16 Total Income	78,724.50	92,650.00	(13,925.50)	84.97%	
17 Expense					
18 General Administration					
19 Auditor Fees	4,000.00	4,100.00	(100.00)	97.56%	No additional expenditures for year
20 Bank Charge	1,839.89	3,500.00	(1,660.11)	52.57%	On target with budget
21 Insurance	500.00	500.00	0.00	100.0%	No additional expenditures for year
22 NEHA Exam Costs	17,640.00	26,000.00	(8,360.00)	67.85%	
23 Office supplies	0.00	1,500.00	(1,500.00)	0.0%	Order planned for July 2022
24 Post Office Box Rental	0.00	100.00	(100.00)	0.0%	Due September 2022
25 Postage	189.51	800.00	(610.49)	23.69%	Expenditures expected to pick up with certificate mailings coming soon
26 Printing	0.00	500.00	(500.00)	0.0%	May need to order certificates late 2022
27 Rental Fees	100.00	1,200.00	(1,100.00)	8.33%	Expenditures expected second half 2022
28 Software	913.74	1,400.00	(486.26)	65.27%	
29 Telephone	369.81	870.00	(500.19)	42.51%	

NC State Board of Environmental Health Specialist

Year-to-Date Actuals Compared to Budget

January through May 2022

		Jan - May 22	Budget	\$ Over Budget	% of Budget	Comments
30	Training/Education Expenses	0.00	50.00	(50.00)	0.0%	
31	Travel Expense (Staff)	0.00	2,100.00	(2,100.00)	0.0%	Paid end of June and end of December each year
32	Wages (and Withholding)					
33	Payroll Tax Expense	1,229.36	3,100.00	(1,870.64)	39.66%	On target with budget
34	Wages	16,070.08	35,000.00	(18,929.92)	45.92%	On target with budget
35	Total Wages (and Withholding)	17,299.44	38,100.00	(20,800.56)	45.41%	
36	Web Admin & Hosting	0.00	1,000.00	(1,000.00)	0.0%	Payment expected December 2022
37	Total General Administration	42,852.39	81,720.00	(38,867.61)	52.44%	
38	Meeting Expenses					
39	Board Meeting Expense	4,588.73	10,000.00	(5,411.27)	45.89%	Likely to need budget amendment in late 2022
40	Board Member Plaques/Gifts	0.00	300.00	(300.00)	0.0%	
41	Investigations and Hearings	88.92	300.00	(211.08)	29.64%	
42	Per Diem Expense	150.00	600.00	(450.00)	25.0%	
43	Total Meeting Expenses	4,827.65	11,200.00	(6,372.35)	43.1%	
44	Total Expense	47,680.04	92,920.00	(45,239.96)	51.31%	Total budget on target with mid-year
45	Net Ordinary Income	31,044.46	(270.00)	31,314.46		
46	Net Income	31,044.46	(270.00)	31,314.46		

Board Assistant Report to Board, 6/24/2022

Looking Beyond 2022

1. Activity Outlook

Assumptions	Credentialing requirements do not change
	Growth continues at pace similar to past 2-to-3 years

2. Expenditure Outlook

Staffing	The need to move from one 30-hour per week position to additional staff is imminent.
Automation	Current RSTAS database is fragile, cumbersome and limited. For example, its limited capabilities require supporting reports be created and maintained in separate systems. System replacements of this type can be costly, and implementation typically takes place over multiple years. In order for the Board to have some, or all, of its share of the cost on hand, the Board may want to give thought to setting a timeline to increase fees and to establish a funding reserve for the purchase. For example, having upfront costs of hiring a project manager that would engage with partners and develop Request for Proposals (RFP) for system replacement might be a first step.

3. Funding Outlook

General Statutes Regulating Board Fees

§ 90A-62. Certification and registration of environmental health specialists registered in other states.

The Board may, without examination, grant a certificate as a registered environmental health specialist to any person who at the time of application, is registered is a registered environmental health specialist by a similar board of another state, district or territory whose standards are determined to be acceptable to the Board and comply with rules adopted by the Board. **A fee to be determined by the Board and not to exceed one hundred dollars (\$100.00) shall be paid by the applicant to the Board for the issuance of a certificate under the provisions of this section.**

§ 90A-63. Renewal of certificates.

(a) A certificate as a registered environmental health specialist or registered environmental health specialist intern issued pursuant to the provisions of this Article will expire on the thirty-first day of December of the current year and must be renewed annually on or before the first day of January. Each application for renewal must be accompanied by a renewal fee to be determined by the Board, **but not to exceed one hundred twenty-five dollars (\$125.00).** However, for **renewals postmarked before January 1 of each year, the renewal fee shall not exceed one hundred dollars (\$100.00).**

The Board's practice is to set its fee schedule every December, to be effective in the upcoming calendar year. This practice allows sufficient time for counties and REHS to accurately reflect costs in their upcoming fiscal year (July-June) budgets. The chart below outlines annual revenue projections if the Board were to implement a fee change.

Assumptions

Funding Source	# Per Year
Renewing Registrants (annually)	1,125
New Registrants (all categories)	110
Interns Taking Exams	80

Annual Fee	Current Revenue \$50	\$25 Fee Increase \$75	\$50 Fee Increase \$100
	Projected Revenue at Current Fee	Projected Revenue at \$25 increase	Projected Revenue at \$50 Increase
Annual Registration Renewal	\$56,250	\$84,375	\$112,500
New Registrations	\$5,500	\$8,250	\$11,000
Essay/Interview Exams	\$4,000	\$6,000	\$8,000
Annual Revenue	\$65,750	\$98,625	\$131,500
Additional Annual Recurring Revenue		\$32,875	\$65,750

NC STATE BOARD OF ENVIRONMENTAL HEALTH SPECIALIST EXAMINERS
Education Committee Report
June 24, 2022

New Registrations for Approval

REHS #	Name	Employer	Type of Registration
1. 3140	Craft; Jeremy John	Wilkes	No previous experience, 2 years
2. 3141	Chapman; Amelia Elizabeth	Albemarle	No previous experience, 2 years
3. 3142	Swanson; Airell Oakes	Pender	No previous experience, 2 years
4. 3143	Maness; Hannah Ruth Ann	Alamance	No previous experience, 2 years
5. 3144	Cobb; Christopher William	Iredell	No previous experience, 2 years
6. 3145	Colter; Heather Ann	Halifax	No previous experience, 2 years
7. 3146	Roberts; Dejah D	Halifax	No previous experience, 2 years
8. 3147	Miller; Caroll Jacob	Lincoln	No previous experience, 2 years
9. 3148	Johnson; Zachary Trey	Craven	No previous experience, 2 years
10. 3149	Limer; James H	Mecklenburg	Previous EH Military Experience, Full REHS contingent upon passing NCREHS exams
11. 3150	Rutledge; Grace Morgan	Mecklenburg	No previous experience, 2 years
12. 3151	Vongvilay; Ponpasert	Mecklenburg	No previous experience, 2 years
13. 3152	Washington; Augusta	Mecklenburg	No previous experience, 2 years
14. 3153	Hicks; Kimberly Lee	Duplin	No previous experience, 2 years
15. 3154	Melton; Tucker David	Albemarle	No previous experience, 2 years
16. 3155	Strickland; David Glenn	Rockingham	No previous experience, 2 years
17. 3156	Hoffman; Samantha Lynn	Appalachian	No previous experience, 2 years
18. 3157	Pless; Jeremy Christopher	Macon	No previous experience, 2 years
19. 3158	Dixon; Jared Parker	Pitt	No previous experience, 1 year
20. 3159	Davis; Hannah Berky	Randolph	No previous experience, 2 years
21. 3160	Earls; Christopher Lee	Pitt	No previous experience, 2 years
22. 3161	Craig; TaBonya Royal	Durham	No previous experience, 2 years
23. 3162	Lewis; Megan Cherie	Davidson	No previous experience, 2 years
24. 3163	Stephens; Brittani Ahlynn	Albemarle	No previous experience, 2 years
25. 3164	Tucker; Gabrielle Nicole	Transylvania	No previous experience, 1 year
26. 3165	Smith; Lindsea D	Wake	No previous experience, 1 year
27. 3166	Hart; Elijah Loyal	Guilford	No previous experience, 2 years
28. 3167	Diamond; Christopher Scott	Granville/Vance	No previous experience, 2 years
29. 3167	Lopez; Miguel Angel	Chatham	No previous experience, 2 years

Education Committee Recommendation: Approve NC REHS interns effective 6/24/2022.

1 G.S. 90A-53 reads as rewritten:

2 **§ 90A-53. Qualifications and examination for registration as an environmental health**
3 **specialist or environmental health specialist intern.**

4 (a) The Board shall issue a certificate to a qualified person as a registered environmental
5 health specialist or a registered environmental health specialist intern. A certificate as a registered
6 environmental health specialist or a registered environmental health specialist intern shall be
7 issued to any person upon the Board's determination that the person:

8 (1) Has made application to the Board on a form prescribed by the Board and paid
9 a fee not to exceed one hundred dollars (\$100.00);

10 (2) Is of good moral and ethical character and has signed an agreement to adhere
11 to the Code of Ethics adopted by the Board;

12 (3) Meets any of the following combinations of education and practice experience
13 standards:

14 a. ~~Graduated from a baccalaureate~~ with a bachelor's degree or postgraduate
15 degree from a program that is accredited by the National Environmental
16 Health Science and Protection Accreditation Council (EHAC) and has
17 one or more years of experience in the field of environmental health
18 practice; or

19 b. ~~Graduated from a baccalaureate or postgraduate degree program that is~~
20 ~~accredited by an accrediting organization recognized by the United~~
21 ~~States Department of Education, Council for Higher Education~~
22 ~~Accreditation (CHEA)~~ with a bachelor's degree or postgraduate degree
23 and meets both of the following: earned a minimum of 30 semester hours
24 or 45 quarter hours or its equivalent in the physical, biological, natural,
25 life, or health sciences and has one or more years of experience in the
26 field of environmental health practice; or

27 1. ~~Earned a minimum of 30 semester hours or its equivalent in the~~
28 ~~physical or biological sciences; and~~

29 2. ~~Has two or more years of experience in the field of~~
30 ~~environmental health practice.~~

31 c. ~~Graduated from a baccalaureate program rated as acceptable by the~~
32 ~~Board and meets both of the following:~~ with a bachelor's degree or
33 postgraduate degree in public health or its equivalent and has one or
34 more years of experience in the field of environmental health practice.

35 1. ~~Earned a minimum of 30 semester hours or its equivalent in the~~
36 ~~physical or biological sciences; and~~

37 2. ~~Has two or more years of experience in the field of~~
38 ~~environmental health practice.~~

39 (4) Has satisfactorily completed a course in specialized instruction and training
40 approved by the Board in the practice of environmental health;

41 (5) Repealed by Session Laws 2009-443, s. 4, effective August 7, 2009.

42 (6) Has passed an examination administered by the Board designed to test for
43 competence in the subject matters of environmental health sanitation. The
44 examination shall be in a form prescribed by the Board and may be oral, written,
45 or both. The examination for applicants shall be held annually or more
46 frequently as the Board may by rule prescribe, at a time and place to be

1 determined by the Board. A person shall not be registered if such person fails
2 to meet the minimum grade requirements for examination specified by the
3 Board. Failure to pass an examination shall not prohibit such person from being
4 examined at subsequent times and places as specified by the Board; and

- 5 (7) Has paid a fee set by the Board not to exceed the cost of purchasing the
6 examination and an administrative fee not to exceed one hundred fifty dollars
7 (\$150.00).

8 (b) The Board may issue a certificate to a person serving as a registered environmental
9 health specialist intern without the person meeting the full requirements for experience of a
10 registered environmental health specialist for a period not to exceed ~~three~~ two years from the date
11 of initial registration as a registered environmental health specialist intern, provided, the person
12 meets the educational requirements in G.S. 90A-53 and is in the field of environmental health
13 practice. (1959, c. 1271, s. 6; 1981 (Reg. Sess., 1982), c. 1274, s. 2; 1989, c. 545, s. 2; 1993, c.
14 233, ss. 1-3; 2009-443, s. 4.)

NC State Board of Registered Environmental Health Specialist Examiners

Board Members in Order of Term End Date
6/24/2022

Legend						
		Term expires 12/15/21				
		Term expires 12/15/22				
		Term expires 12/15/23				
		Term expires 12/15/25				
		Vacant				
	Name	Board Seat	Date Appointed	Term Ends	Term	Eligible for Reappointm ent
1	Michael, Larry	Secretary of DHHS Representative	6/9/2014	12/15/2021	N/A	✓
2	Thompson, Phil	Division of PH of DHHS	6/9/2014	12/15/2021	in 2nd Term	✗
3	Halbedl, Lisa	EH Specialist, Western	2/8/2018	12/15/2022	in 2nd Term	✗
4	Kivett, Carl	EH Specialist, Piedmont	6/9/2014	12/15/2022	in 2nd Term	✗
5	Morgan, Andrew	EH Specialist, Piedmont	5/10/2016	12/15/2022	in 2nd Term	✗
6	Ortiz, Daniel	EH Specialist, Eastern	2/3/2015	12/15/2022	in 2nd Term	✗
7	Vazquez, Felissa	EH Specialist, Western	12/18/2018	12/15/2022	in 1st Term	✓
8	Caulder, Gregory	Public Spirited Citizen	2/8/2018	12/15/2023	in 2nd Term	✗
9	Rosso, Rebecca	EH Specialist, At-Large	1/3/2020	12/15/2023	in 1st Term	✓
10	Contti, Bibianna	EH Specialist, Eastern		12/15/2025	in 1st Term	✓
11	Hill, William	Educator from Public College/University	2/8/2018	12/15/2025	in 2nd Term	✗
12	Vacant	Local Health Director				