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## BILL ANALYSIS

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House Bill 5664 (Substitute H-1 as passed by the House)  
Sponsor: Representative John Stakoe  
House Committee: Local Government and Urban Policy  
Senate Committee: Local, Urban and State Affairs

Date Completed: 6-30-04

**CONTENT**

**The bill would amend Part 184 of the Public Health Code (which governs sanitarians) to do the following:**

- Adopt by reference the standards of the National Environmental Health Association as they exist on the bill's effective date relative to qualifications, education, and examinations.**
- Create an advisory committee to make recommendations to the Department of Community Health (DCH) concerning registration qualifications, training standards, and disciplinary actions.**
- Eliminate language creating the Michigan Board of Sanitarians.**

The bill would require the DCH to accept the certification by the National Environmental Health Association of the successful completion of any education or examination for purposes of registration under Part 184. The bill also would allow the DCH, by rule, to adopt any other or additional appropriate standards and adopt any updates or amendments to the National Environmental Health Association standards adopted by reference. This would apply notwithstanding Section 16148 of the Code (which provides that only a board may promulgate rules to establish standards for the education and training of individuals to be licensed or registered in a health profession).

Under Part 184, the Michigan Board of Sanitarians is created in the DCH and consists of five registered sanitarians and four public members. The bill would delete this provision.

The bill would create a seven-member advisory committee to make recommendations to the DCH relative to qualifications for registration, establishment of education and training standards, and actions regarding disciplinary proceedings. The committee's membership would be as follows:

- Four registered sanitarians.
- One representative of the Michigan Restaurant Association or its successor organization.
- One representative of the Michigan Groundwater Association or its successor.
- One representative of the Michigan Onsite Wasterwater Recycling Association or its successor.

The members would be appointed by the Governor for three-year terms. Of the initial members who were registered sanitarians, one would have to be appointed for a one-year term, one for a two-year term, and two for three-year terms.

Part 184 provides that a registered sanitarian may not engage in or have an interest in any work, project, or operation prejudicial to his or her professional interest. The bill would retain that provision but delete language under which a registered sanitarian may not be in conflict with Sections 338.551 to 338.576 of the Michigan Compiled Laws. (Those sections were repealed and replaced by Article 20 of the Occupational Code, which governs professional engineers, architects, and surveyors.) Under the bill, a registered sanitarian could not engage in the practice of professional engineering, as defined in the Occupational Code, unless the activity was consistent with the definition of "sanitarian" in Part 184. ("Sanitarian" means an individual who has specialized education and experience in the physical, biological, and sanitary sciences as applied to the educational, investigational, and technical duties in the field of environmental health.)

The bill would define "environmental health" as an area of activity dealing with the protection of human health through the management, control, and prevention of environmental factors that may adversely affect the health of individuals. The bill states, "Environmental health is concerned with the existence of substances, conditions, or facilities in quantities, of characteristics, and under conditions, circumstances, or duration that are or can be injurious to human health."

MCL 333.18401 et al.

Legislative Analyst: Suzanne Lowe

### **FISCAL IMPACT**

The bill would lead to minimal cost increases for the Department related to the creation and ongoing activities of the advisory committee. In addition, costs could be incurred related to the formal rule promulgation process if changes to the administrative rules were made.

Fiscal Analyst: Dana Patterson

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