

NEW JERSEY ADMINISTRATIVE CODE

TITLE 8, CHAPTER 7

LICENSURE OF PERSONS FOR PUBLIC

HEALTH POSITIONS

Authority

N.J.S.A. 26:1A-38 et seq.

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CHAPTER TABLE OF CONTENTS

SUBCHAPTER 1. GENERAL PROVISIONS

- 8:7-1.1 Positions requiring a license
- 8:7-1.2 New Jersey Public Health Licensing and Examination Board
- 8:7-1.3 Submission of evidence of qualification; **Application For Examination**
- 8:7-1.4 **Application**, examination and initial license fees
- 8:7-1.5 Determination of qualified candidates
- 8:7-1.6 Appeal procedure
- 8:7-1.7 Suspension or revocation of license
- 8:7-1.8 Examinations
- 8:7-1.9 Record keeping requirements of the Board
- 8:7-1.10 Qualifications of candidates for licensure
- 8:7-1.11 License issuance, renewal, and fees for licenses
- 8:7-1.12 **Active and inactive license**
- 8:7-1.13 License renewal and continuing education requirements
- 8:7-1.14 Waiver of continuing education contact hours
- 8:7-1.15 Continuing education course criteria
- 8:7-1.16 Course, seminar, or program approval; **Application fee**
- 8:7-1.17 Record of continuing education contact hours
- 8:7-1.18 Continuing education advisory committee**

SUBCHAPTER 1. GENERAL PROVISIONS

8:7-1.1 Positions requiring a license

(a) A license granted by the New Jersey Department of Health **and Senior Services** is required for any person who is employed as a:

1. Health officer; or
2. Registered environmental health specialist.

(b) In accordance with N.J.S.A. 26:3-20 through 24, unless otherwise suspended or revoked, the licenses specified in (c) below shall remain in effect until the holder thereof does not renew the license within two years from the date of its expiration, or the Commissioner of Health and Senior Services does not renew the license, whichever occurs first.

(c) Obsolete licenses repealed by P.L. 1997, c.416, are:

- 1. Sanitary inspector, second grade;**
- 2. Plumbing inspector, first and second grade;**
- 3. Food and drug inspector;**
- 4. Milk inspector;**
- 5. Meat inspector;**
- 6. Veterinary meat inspector; and**
- 7. Public health laboratory technician.**

8:7-1.2 New Jersey Public Health Licensing and Examination Board

(a) There shall be established within the New Jersey Department of Health **and Senior Services**, a board of examiners to be known as the Public Health Licensing and Examination Board.

(b) On behalf of the New Jersey Public Health Council and the New Jersey Commissioner of Health **and Senior Services**, the Board shall conduct examinations for the licensing of:

1. Health officer; and
2. Registered environmental health specialist.

(c) The Public Health Council shall prescribe the qualifications necessary for the licensing of **health officer and registered environmental health specialists** and shall prescribe the qualifications necessary for the renewal of any license permitted to remain in effect under N.J.S.A. 26:1A-41.

(d) The Board shall be composed of 11 members appointed by the Commissioner of Health **and Senior Services** as follows:

1. One of the members of the Board shall represent the Commissioner of Health **and Senior Services**. The Commissioner's representative, shall be the **Senior** Assistant Commissioner responsible for local health operations or shall be selected from professional staff of that unit. The individual shall serve as the Chairperson of the Board.

2. Three members of the Board shall be licensed Health Officers. Individuals will be recommended to the Commissioner of Health **and Senior Services** by the Executive Committee of the New Jersey Health Officers Association **and shall meet the qualifications for licensure in N.J.A.C. 8:7-1.10 which would apply to applicants for initial licensure.**

3. Three members of the Board shall be licensed **registered environmental health specialists**. Individuals will be recommended to the Commissioner of Health **and Senior Services** by the Executive Committee of the New Jersey Environmental Health Association **and shall meet the qualifications for licensure in N.J.A.C. 8:7-1.10 which would apply to applicants for initial licensure.**

4. One member of the Board shall be a representative of the Commissioner of the New Jersey

Department of Environmental Protection,

5. One member of the Board shall be a representative of the **Commissioner of the New Jersey Department of Personnel**.

6. One member of the Board shall be a health professions educator.

7. One member of the Board shall be a consumer representative.

(e) With the exception of the Chairperson, who shall serve in this capacity until replaced by the Commissioner of Health **and Senior Services**, a Board member shall be:

1. Appointed for a term of two years; and

2. Permitted to serve for no more than three consecutive terms.

(f) As vacancies occur, the Commissioner of Health **and Senior Services** shall appoint a person representing the constituency similar to that of the person being replaced. The replacement appointment shall be for completion of the unexpired term.

(g) For the purpose of conducting business, six members of the Board shall be required for a quorum and no actions shall be taken by the Board in the absence of a quorum.

(h) In the absence of the Chairperson at a business meeting, the members of the Board shall elect a Chairperson pro tem to direct the business of that meeting.

(i) Any action of the Board shall require a majority vote of members present. No proxy votes shall be permitted. In order to provide a timely response to issues before the Board, under special circumstances, Board members may be polled by the Chairperson via telephone.

(j) Members of the Board shall serve without compensation, but shall be reimbursed for

necessary expenses incurred in the performance of their duties.

(k) The Board shall keep minutes of all meetings and shall transmit the record of all transactions and recommendations to the Public Health Council and the Commissioner of Health **and Senior Services**.

(l) All business transactions of the Board shall be done with the signature of the Chairperson.

8:7-1.3 Submission of evidence of qualification; **application for examination**

(a) The Commissioner of Health **and Senior Services**, in the name of the New Jersey Department of Health **and Senior Services**, shall grant licenses only to those candidates who submit evidence of the required training and experience, are accepted for testing by the Public Health Licensing and Examination Board and/or the Commissioner of Health **and Senior Services**, and who subsequently pass examinations, indicating their fitness for the positions they seek.

(b) A person who desires to be admitted to an examination may obtain an application form from the New Jersey Department of Health **and Senior Services**, P.O. 360, Trenton, New Jersey 08625. **Applicants shall provide all identifying information required on the form, including name, address, telephone number and the license for which they are applying.** The application shall be filed with the Department and accompanied by documentary evidence satisfying the education, training, and experience requirements for the position. Such documentary evidence shall include an evaluation of the candidates performance written by the supervisor(s) **under which** working experience **was acquired**.

8:7-1.4 Application, examination and initial license fees

(a) The New Jersey Department of Health **and Senior Services** shall collect fees, as **authorized** by statute, from each candidate for licensure prior to the examination.

(b) The Department shall collect from each candidate the following fees:

- 1. For each application to be admitted to a license examination, \$50.00; and**
- 2. For each admission to a license examination, \$100.00.**

(c) Candidates who are successful in passing the examination will not be required to pay an additional fee for the issuance of their initial license.

8:7-1.5 Determination of qualified candidates

(a) Appropriate members of the Public Health Examining Board shall review each candidate's application for admission to the licensure examination. Based upon the qualifications of the candidate, the Board shall approve or deny such candidate's entrance to the examination.

(b) The candidate and the Department of Health **and Senior Services** shall be notified within 10 days of the Board's determination. In the case of a denial the candidate shall have the opportunity to appeal the decision of the Board.

8:7-1.6 Appeal procedure

(a) Any candidate who has been denied admission to a licensure examination by the Public Health Examining Board **or licensee denied active license status in accordance with N.J.A.C. 8:7-1.12** may appeal the Board's action according to the following procedure:

1. Within 30 days of notification of denial, the candidate **or licensee** may request, in writing, a reconsideration of his **or her** qualifications by the Board;

2. At a regular meeting of the Board, the candidate **or licensee** will have the opportunity to discuss his **or her** qualifications. At the conclusion of the discussion, the Board shall vote on the appeal;

3. In the event that the Board reaffirms its denial decision, the candidate **or licensee** may, within 30 days, request a review of his or her case.

4. In the case of a candidate, at the conclusion of the review, the Commissioner of Health **and Senior Services** shall issue a final decision.

5. In the case of a licensee, the licensee may request a hearing pursuant to the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq., and 52:14F et seq., and the Uniform Administration Procedure Rules, N.J.A.C. 1:1.

8:7-1.7 Suspension or revocation of license

(a) Any license issued in accordance with the provisions of P.L. 1947, c.177 (N.J.S.A. 26:1A-41) and the rules governing the licensing of health officers and **registered environmental health specialists**, heretofore issued by the New Jersey Department of Health **and Senior Services**, may be suspended or revoked for any of the causes as defined in Section 43 of P.L. 1947, c.177 (N.J.S.A. 26:1A-43).

(b) Upon written charges alleging any such violation, act or happening being filed by the Commissioner or by the local board of health, within whose territory or jurisdiction such violation, act or happening occurred, the licensee shall be entitled to a hearing pursuant to N.J.S.A. 52:14B-1 et seq. and N.J.A.C. 1:1.

(c) **The suspension or revocation of a license shall be effected by a notice in writing of the suspension or revocation, designating the effective date thereof, and in the case of suspension, the term of the suspension, which notice may be served upon the licensee personally or by mailing the same by registered mail addressed to the licensee at the licensee's home address. The Commissioner of Health and Senior Services shall file a copy of the notice of suspension or revocation of license with the local board of health.**

8:7-1.8 Examinations

(a) The New Jersey Department of Health **and Senior Services** shall schedule examinations for the licensure of persons for public health positions at least twice a year.

(b) Examinations shall be prepared, conducted and scored in accordance with the department's standard operating procedures with the advice of the Public Health Examining Board.

(c) If any qualified candidate fails an examination for a particular type of license two times, such candidate shall not be permitted entrance to the next examination for that type of license until, and unless, the candidate submits evidence, to the Board of further formal training and supervised experience specifically in those areas in which the candidate was deficient. The board in its discretion, may accept the additional evidence or require the candidate to postpone taking the licensure examination for a period of one year from the date of the last examination. During the one year waiting period the candidate shall be required by the Board to either obtain further training and experience under the supervision of a person licensed for the position for which the candidate seeks licensure, or obtain further educational training and experience through formal courses at an accredited institution of higher education or through recognized professional or governmental bodies. At the conclusion of the one-year period, the candidate shall furnish the Board with a written report from his supervisor or from the educational institution, attesting to the completion of the additional training and experience and may then make application to gain admission to the licensure examination.

8:7-1.9 Recordkeeping requirements of the Board

The Public Health Examining Board shall keep minutes of its meetings and shall transmit the record of all its transactions and recommendations to the Commissioner of Health **and Senior Services**.

8:7-1.10 Qualifications of candidates for licensure

(a) Regarding the qualifications of health officer candidates, applicants shall meet one of the following qualifications:

1. Diplomate of the American Board of Preventive Medicine or complete eligibility therefore;

2. Degree of doctor or master from an accredited college or university program in a health-related field recognized as such by the Department of Education such as medicine, osteopathy, veterinary medicine, public health, environmental science, health administration, social work, nursing or health education. The core course work for the degree shall include or be supplemented by at least three credits in each of the following: planning, administration, environmental science, social science, **biostatistics** and epidemiology **at the undergraduate, junior or senior level**; and

i. Unless otherwise exempted by statute, satisfactory completion of two years full-time employment in a position providing administrative experience in at least three of the five existing recognized public health activities as specified in N.J.A.C. 8:52.

3. What a candidate for health officer license should know:

i. The health officer is expected to provide leadership in the field of public health in his **or her** community. In addition to being the **chief executive** officer of a local health department, he **or she** is responsible for evaluating the health problems of his community, planning appropriate activities to meet their health problems, developing necessary budget procedures to cover these activities, and directing the department's staff so as to carry out the activities efficiently, economically **and in accordance with accepted policies and practices as defined by the New Jersey Department of Health and Senior Services and Public Health Council in N.J.A.C. 8:52**, Recognized Public Health Activities and Minimum Standards of Performance for Local Boards of Health in New Jersey. Applicants are examined relative to these essential activities.

(b) **Registered environmental health specialist**, qualifications are as follows:

1. A baccalaureate degree from an accredited college or university recognized as such by the Department of Education, with a minimum of 32 credits in the biological sciences, physical sciences, environmental sciences, and mathematics; and

2. Successful completion of a course in the environment and public health conducted by an accredited college or university recognized as such by the Department of Education. This course must be equivalent to that offered by Rutgers—The State University; and

3. Successful completion of a field training course approved as such by the New Jersey Department of Health **and Senior Services**. Full-time employment for a minimum period of one year in a local health agency (under the supervision of either licensed health officer or **registered environmental health specialist**), as defined in N.J.A.C. 8:52, Recognized Public Health Activities and Minimum Standards of Performance for Local Boards of Health in New Jersey, will be accepted in lieu of the field training course only if an approved field training course is not available.

4. What a candidate for **registered environmental health specialist** license should know:

i. The **registered environmental health specialist** is responsible for making inspections, compiling proper records of such inspections, informing operators of establishments of violations, the sanitary basis thereof, methods of abating such violations, and securing evidence that may be necessary for legal action. Such inspections shall be in all environmental sanitation activities **and in accordance with N.J.A.C. 8:52** Recognized Public Health Activities and Minimum Standards of Performance for Local Health Departments in New Jersey. Applicants are examined relative to these indicated activities.

8:7-1.11 License issuance, renewal, and fees for licenses

(a) All initial licenses granted by the Commissioner in accordance with N.J.A.C. 8:7-1.3 shall not fall under the requirements of this section.

(b) All licenses shall expire on December 31 of each year and may be renewed upon payment of a fee as **authorized** by N.J.S.A. 26:1A-42. **The annual license renewal fee of \$50.00 shall be submitted to the Department with the application sent to all licensees by the Department of Health and Senior Services and shall include evidence of completed continuing education in accordance with N.J.A.C. 8:7-1.13(c), for Health Officers and Registered Environmental**

Health Specialists.

1. License renewal applications shall be completed and submitted to the Department of Health and Senior Services by December 1 for the subsequent licensing year. Applications received after December 1 shall be assessed a \$25.00 late fee in addition to the license fee.

(c) Each health officer and registered environmental health specialist license shall be renewed as either an active or inactive license in accordance with N.J.A.C. 8:7-1.12. Notation shall be made on renewed licenses denoting **active** or **inactive** status, based on whether the applicant has fulfilled the continuing education requirements set forth in this chapter.

(d) Candidates for health officer and registered environmental health specialist relicensure may appeal the inactive status of a license in accordance with N.J.A.C. 8:7-1.6.

(e) Licensees may obtain a duplicate license and a certificate which is suitable for framing upon written request and the payment of \$10.00 and \$25.00, respectively.

8:7-1.12 Active and inactive licenses

(a) The requirements set forth under N.J.A.C. 8:7-1.12 through 1.17 shall apply to all individuals eligible to serve as a health officer **or registered environmental health specialist** in the State of New Jersey, except where the rule provides for exemption or waiver.

1. **An active license shall be issued to applicants who have successfully acquired 15 contact hours of approved continuing education** in accordance with the continuing education requirements set forth in this chapter.

2. **An inactive license shall be issued to applicants** without fulfillment of the requirements set forth in this chapter **for an active license**, or **without a** waiver granted in accordance with N.J.A.C. 8:7-1.14.

8:7-1.13 License renewal and continuing education requirements

(a) By the end of each annual licensing period, each **person employed as a health officer or registered environmental health specialist** shall **meet the requirements for an active license** **Persons failing to meet the requirements of an active license will be issued written notice which may be served upon the licensee personally or by registered mail, a copy of which shall be filed with the employer with further notice to advise the Department of Health and Senior Services of its intent and the means by which it shall resolve the matter.**

1. **As part of the requirement for an active health officer license, licensees shall successfully acquire at least eight contact hours of approved continuing education from courses approved in accordance with N.J.A.C. 8:7-1.16 and among the subject areas listed in N.J.A.C. 8:7-1.15(a) 9.**

(b) Each health officer **and registered environmental health specialist** shall be permitted to carry over up to five excess continuing education contact hours from one licensing period to the next.

(c) Each health officer **and registered environmental health specialist** shall submit to the Public Health Council verification of accumulated continuing education contact hours with their license

renewal application. Verification materials shall include evidence of the successful completion **through attendance at or faculty-level instruction** of an approved course, seminar, or program, in the form of a certificate or similar formal record certified by the approved sponsor.

(d) Licensees shall, within the next licensing period following the date of employment as a health officer or registered environmental health specialist, meet the requirements for an active license in (a) above.

8:7-1.14 Waiver of continuing education contact hours

(a) The Public Health Council, may, for good cause, such as serious illness or accident involving self or family and determined by the Council to have prevented a health officer's **or registered environmental health specialist's** completion of continuing education, waive all or part of the **requirement** for the licensing period. All such requests to the Public Health Council by the health officer **or registered environmental health specialist** shall be in writing and shall be accompanied by written documentation supporting the reasons for the request.

(b) Waivers shall be granted for one licensure period at a time. If the situation for which the waiver is granted continues, the health officer **or registered environmental health specialist** shall reapply in writing to the Public Health Council.

8:7-1.15 Continuing education course criteria

(a) Continuing education courses eligible for contact hours under this subchapter shall include:

1. Courses, seminars, or programs focusing on professional competency and ethics, as well as legal aspects relating to the practice of public health, environmental health, and sanitation;

2. Courses, seminars, or programs is public health, health care, health education, environmental science, health planning, epidemiology;

3. Courses, seminars, or programs in public health administration, environmental health, communicable diseases, maternal and child health, and chronic diseases;

4. Courses, seminars, or programs designed to acquaint health officers **and registered environmental health specialists** with the utilization and application of new techniques, policy, and developments relating to public health, environmental health, and sanitation;

5. **Courses, seminars, or programs in home and community based alternatives to nursing facilities, the health problems of older adults and disabled persons, and the promotion of wellness and health in older adults;**

6. **Courses, seminars or programs in environmental and occupational health hazard evaluations, risk communications, remediation and public health issues concerning air, water, pesticides, public health pest control, soil, wastes, food, radiation, noise, chemicals, particulates, microbiology and microbiological agents;**

7. **Courses, seminars or programs in emergency response, crisis management and disaster control with respect to public health issues;**

8. **Courses, seminars or programs concerning historical, current or future perspectives on the structure, function and roles of national, state and local boards, councils, departments and public health professionals such as health officers, public health nurses, registered environmental health specialists and public health educators; and**

9. **Courses, seminars or programs in public health leadership and management development; community partnerships, organizing and coalition building; the use of data and information technologies in policy development and decision making; continuous quality improvement; cultural diversity; the integration of health delivery systems; and outcomes measurement and evaluation.**

(b) Any course, seminar, or program shall seek approval under the rule by the Public Health

Council pursuant to the procedures set forth at N.J.A.C. 8:7-1.16 for assignment of health officer **and registered environmental health specialist** continuing education contact hours, regardless of accreditation by other professional associations, societies, and/or organizations.

(c) Course, seminar and program sponsors shall use The Public Health Workforce: An Agenda for the 21st Century, U.S. Department of Health and Human Services, 1997, and specifically, “Appendix E: Competencies for Providing Essential Public Health Services,” incorporated by reference herein, as a central focus and foundation for curriculum development for all continuing education programs for which approval is being sought. Sponsors shall integrate the appropriate competencies outlined in said Appendix E into the curriculum of all programs.

1. The text of Appendix E can be obtained/downloaded from the U.S. Department of Health and Human Services, Office of Community Support, tel. 301-468-5960 or from the N.J. Department of Health and Senior Services’ web site, www.state.nj.us/health.

8:7-1.16 Course, seminar, or program approval; **application fee**

(a) Any course of study that addresses the content areas specified at N.J.A.C. 8:7-1.15(a) offered by an educational institution, association, professional society, person, or organization and used by applicants for the purpose of continuing education and licensure in this State as health officers or **registered environmental health specialists** may be approved by the Public Health Council, in accordance with this chapter.

1. Any course, seminar, or program sponsored by the New Jersey Department of Health and Senior Services, the New Jersey Department of Environmental Protection, or a school or program accredited by the Council on Education for Public Health **or by the National Environmental Health Science and Protection Accreditation Council** which fulfills the requirements as set forth at N.J.A.C. 8:7-1.15 shall be exempted from securing approval from the Public Health Council. The Public Health Council shall, however, determine the number of continuing education contact hours which will be assigned to the course, seminar, or program.

2. The annual meetings of the New Jersey Health Officers Association, **New Jersey Environmental Health Association, South Jersey Sanitarian's Association, American Public Health Association and National Environmental Health Association**, upon approval of the Public Health Council **and in accordance with this section**, may be used in partial fulfillment of the requirement for continuing education.

(b) Any person or organization desiring approval of a health or health-related course, seminar, or program shall apply to the Public Health Council through written application. Each application shall be submitted at least **30** days prior to the first session in the name of the person or organization by a person authorized to do so. The application shall contain the following minimum information:

1. The name of the course, seminar, or program and its primary learning objectives;
2. The time, date, and place of the course, seminar, or program;
3. Name of the lecturer(s) and his or her credentials;
4. An outline showing the course, seminar, or program content broken down by session and time schedule;
5. A description of any written materials to be used;
6. A projected schedule for the times the course, seminar, or program will be offered in a year and the dates of the presentation;
7. A statement that the institution shall notify the Public Health Council if the course, seminar, or program is withdrawn or changed;
8. A statement that the sponsor shall provide attendance verification documents for all attendees who request them **which shall include the course approval number and shall provide a copy of the registration roster to the Public Health Council within 30 days of completion of**

the course. Each sponsor shall have a proctor who shall attest to the attendance of each attendee;

9. A statement that the institution shall maintain such records as are required by this section;
and

10. A description of the method of evaluation, **which shall include a section that elicits suggestions for future course topics.**

(c) The Public Health Council reserves the right to undertake such reviews as may be necessary to verify the accuracy of an application or conformity with this chapter. The sponsor, by submitting the application, expressly agrees to cooperate in such reviews.

(d) Continuing education contact hours may be awarded by the Public Health Council upon review of the application and any supporting materials pursuant to the following schedule:

1. One hour of **live lecture or video taped lecture at which a topic(s) expert is present to moderate the program** or small group exercises equals one contact hour;

2. One hour of field or laboratory work equals one-half contact hour; and

3. All recertification courses of three or more hours shall equal three contact hours; all recertification courses which equal less than three hours shall equal the actual time of the course.

(e) All sponsors shall secure approval of the Public Health Council prior to representing that the course, seminar, or program fulfills the requirements of this subsection. The sponsor **shall** include the statement “This course (seminar or program) is approved by the Public Health Council for — continuing education contact hours toward the renewal of a New Jersey Health Officer license **and a New Jersey Registered Environmental Health Specialist license**” on the course announcement **and the record of attendance.**

1. Sponsors shall issue to each course attendee a certificate or similar formal record

of attendance or instruction which shall include the course approval number, name of course, name of the sponsor, date(s) of the course and number of approved contact hours.

(f) Approval by the Public Health Council of a course, seminar, or program shall be considered valid for **the calendar year of the dates of the course** provided that the items identified at N.J.A.C. 8:7-1.16(b) remain unchanged during the time period.

(g) The Public Health Council shall review all courses, seminars, or programs. Upon evidence that the courses, seminars, or programs fail to meet the criteria set forth in N.J.A.C. 8:7-1.15(a) and/or in the sponsor's application as required in N.J.A.C. 8:7-1.16(b), the course shall not be granted approved status and the sponsor shall be required to reapply for approval.

(h) A list of approved courses shall be available upon request from the Public Health Council.

8:7-1.17 Record of continuing education contact hours

(a) A **licensee** shall maintain documentation of course, seminar, or program **continuing education completion**.

(b) A **licensee** shall submit to the Public Health Council verification of accumulated continuing education contact hours. Verification material shall include evidence of the successful completion **through attendance at or faculty-level instruction** of an approved course, seminar, or program, in the form of a **copy of the** certificate or similar formal record certified by the sponsor.

1. The contact hour certificate(s) of attendance may be used for either the health officer or the registered environmental health specialist license application(s); for those individuals who apply for both licenses, the same contact hours acquired may be applied to the renewal of both licenses.

(c) A **licensee** shall complete the license renewal forms by including continuing education information for all the approved courses, seminars, or programs which the applicant completed, as

well as the number of continuing education contact hours earned, for the licensure renewal period in question.

8:7-1.18 Continuing education advisory committee

(a) The New Jersey Department of Health and Senior Services shall convene a continuing education advisory committee which shall provide advice, examine trends, policies, innovations; review needs assessment; and assist in the development of other pertinent activities regarding continuing education for public health professionals.

(b) The committee shall provide specific advice to the Public Health Licensing and Examination Board on issues regarding the ongoing process of the development of the continuing education rules and programs for health officers and registered environmental health specialists, as needed.