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BOARD OF ENVIRONMENTAL SANITARIANS

December 3, 2009

Department of Legislative Services
Office of Policy Analysis
Attention: Ms. Jennifer B. Chasse
Senior Policy Analyst
Legislative Services Building
90 State Circle
Annapolis, Maryland 21501-1991

Dear Ms. Chasse:

The Maryland Board of Environmental Sanitarians has received and reviewed the Department of Legislative Services (DLS) Exposure Draft Sunset Review Evaluation report of the Board. The Maryland Department of the Environment respectfully provides the following comments to report:

1. Page 14, under “Moving Board from MDE to DHMH”

The Board's position on this issue is that the Department of Health and Mental Hygiene is the logical location from which the Board should operate. The Board understands that this may not be possible due to the current fiscal and economic situation.

2. Page 14, under “Board Resources”

The Board agrees with the DLS assessment that the updating of the licensing tracking system would certainly make it easier to evaluate licensing trends. However, funding for this activity is lacking. It should be noted that the Board in cooperation with MDE's IT staff has crafted a greatly improved web-site. The Board views this accomplishment as a first step toward improving the licensing process.

3. Page 15, under “Exemptions from Licensure Requirements”

The Board agrees with the DLS assessment that a review of legislative exceptions to licensure is necessary; however staff resources to accomplish this activity are lacking. The Board suggests that this activity should be carried out between the Personnel Departments of both MDE and DHMH with the assistance and active cooperation of the Board.

4. Page15, under “ Continuing Education”

The Board completed this recommendation and has issued a newly revised policy for handling requests for the approval of continuing education. The policy will be published on the MDE web-site for the widest possible distribution.

5. Page 15, under “Disciplinary Process”

The Board has identified the need for a clear disciplinary review process and is currently developing a policy that is fair and legally accurate. Recent cases have substantiated the need for the Board to review the disciplinary process in addition to Personnel Divisions actions. The Board recognizes that although COMAR 26.07.04.01 specifically addresses disciplinary actions, it appears to lack guidelines for implementation. The Board is currently drafting a new policy to clarify the COMAR regulations in this area.

6. Page 15, under “Staff Resources and Budget”

The Board agrees with the DLS assessment. However, the Board also recognizes the difficulty of identifying commingled costs among shared MDE Environmental Boards staff resources. The Board is looking into the possibility of changing the renewal cycle to more evenly reflect actual Board costs. Board Members actively provide environmental health services to assist the Environmental Health Liaison Committee, Environmental Health Professional Organizations, the Conference of Environmental Health Directors and also serve as a source of emergency management resources.

Conclusion

Finally, on page #15 the report recommends that the Maryland Board of Environmental Sanitarians should undergo a Full Sunset Review during the interim of 2011. The Board welcomes this opportunity to work with DLS.

Sincerely,



Elizabeth Scott, MPH, RS, REHS
Chair
Maryland Board Environmental Sanitarians