Chapter 700

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Sanitarians

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700.010 Definitions. As used in this chapter, unless the context requires otherwise:

(1) "Board" means the State Board of Health.

(2) "Department" means Department of Sanitarians.

(3) "Environmental sanitation" means the study, art and technique of applying scientific knowledge for the improvement of the environment of man for his health and welfare.

(4) "Sanitarian" means a person trained in environmental sanitation who is qualified to carry out educational and inspectional duties in the field of environmental sanitation.

700.020 Registration certificate required. No person shall offer his services as a registered sanitarian or use, assume or advertise in any way any title or description tending to convey the impression that he is a registered sanitarian unless he is the holder of a current certificate of registration issued by the Department of Sanitarians of the State Board of Health. A holder of a current certificate of registration is entitled to append to his name the letters R.S.

700.030 Qualifications of applicants for examination. The department shall admit to examination any person who makes application to the secretary of the department on forms prescribed and furnished by the department, pays an examination fee of $10 to defray the expense of examination and submits evidence satisfactory to the department that he is a citizen of the United States of good moral character and:

(1) Has had a minimum of 3,000 hours' experience in the field of environmental sanitation under the supervision of a person certified by the department and has taken such formal courses as the department determines to be necessary; or

(2) Is a graduate of a college of recognized standing, has successfully completed courses in sanitary, biological, bacteriological or physical sciences and has had at least 1,500 hours of experience in the field of environmental sanitation under the supervision of a person certified by the department.

700.040 Notice of application acceptance. Within 30 days after an application is filed with the secretary, the department shall notify the applicant whether his application for examination was accepted or rejected, and if rejected, the reasons therefor.

700.050 Notice of examination. The secretary of the department shall give reasonable notice by mail of the time and place of examination to each applicant accepted for examination.

700.060 Conduct, scope, time and place of examinations. The department shall hold examinations to test the fitness of applicants for registration at such times and places within this state as the department shall determine but shall hold at least one examination every year. The scope and method of examination shall be determined by the department.

700.070 Notice of examination result. Within 30 days after the examination is given, the department shall notify by mail each person who took the examination that he has passed or failed the examination.

700.080 Issuance of certificates; fee. Each person who passes the examination to the satisfaction of three members of the department shall, upon payment of a registration fee of $5, be issued a certificate of registration.

700.090 Reciprocity. The department shall issue a certificate of registration without examination to any person who makes application on forms prescribed and furnished by the department, pays a registration fee of $5 and submits satisfactory proof that:

(1) He is of good moral character.

(2) He has had at least two years' experience in the field of environmental sanitation.

(3) He is registered as a sanitarian in a state in which the qualifications for registration are not lower than the qualifications for registration in this state at the time he applies for registration.

700.100 Expiration date and renewal of certificates, fees. (1) Each certificate of registration issued by the department shall expire on June 30 following the date of issue.

(2) A renewal certificate may be issued:

(a) To the holder of a current certificate of registration who makes application prior to the expiration of his current certificate and pays a renewal fee of $2.50.

(b) To a registered sanitarian who

makes application within 60 days after the expiration date of the last certificate issued to him and pays a renewal fee of $3.50.

(c) To a registered sanitarian who makes application at any time and pays a renewal fee of $10.

700.110 Grounds for denial, suspension or revocation of certificate. The department may refuse to renew or may suspend or revoke a certificate upon proof that the applicant:

(1) Is not of good moral character.

(2) Is guilty of fraud, deceit, gross negligence, incompetency or misconduct in relation to his duties as a sanitarian.

700.120 Notice and hearing, procedure. (1) Before the department may suspend, revoke or refuse to renew a certificate of registration it shall set the matter for a hearing before the department and at least 20 days prior to the date set for hearing it shall give written notice of the charges made and the date and place of the hearing to the accused. Service of the notice may be made by personal service or by sending it by registered mail to the last known business address of the accused. The accused shall have the opportunity to be heard in person and by counsel. A stenographic record of the hearing shall be kept and a transcript thereof filed with the department.

(2) The order of the department shall be made within 20 days after the termination of the hearing.

(3) Notice of the order of the department shall be given to the accused, either by personal service or by registered mail sent to the last known business address of the accused within 10 days after the order is made.

700.130 Judicial review of department's order. (1) The accused may obtain a review of the order of the department by filing a written petition for review with the Circuit Court for Marion County within 30 days after service of the notice required in subsection (3) of ORS 700.120.

(2) The review shall be conducted by the court as a suit in equity.

700.140 to 700.200 [Reserved for expansion]

700.210 Department of Sanitarians, creation, composition. There hereby is established under the administration of the State Board of Health a department to be known as the Department of Sanitarians to consist of five members to be appointed by the board, one of whom shall be the State Sanitary Engineer who shall serve ex officio and be the secretary of the department.

700.220 Department members, qualifications, term, removal, vacancies, compensation. (1) The members appointed by the board shall be appointed from among the residents of this state and shall have the following qualifications and terms of office:

(a) One shall be a physician certified by the American Board of Preventive Medicine and Public Health whose term of office shall expire on June 30, 1954.

(b) Three shall be sanitarians, not more than one from any congressional district, who have had at least four years' experience in the field of environmental sanitation and who hold a current certificate of registration issued by the department. The terms of office of the sanitarians first appointed to the department shall expire, one on June 30, 1952, one on June 30, 1953, and one on June 30, 1954.

(2) Each successor to the members first appointed by the board shall hold office for a term of three years to commence on July 1 following the expiration of the term of his predecessor.

(3) Any vacancy among the four members appointed by the board shall be filled for the unexpired term by appointment by the board.

(4) Any member of the department may be removed by the board for misconduct, incapacity or neglect of duty.

(5) The members of the department shall serve without compensation but shall be reimbursed for their actual and necessary expenses incurred in the performance of their duties, which reimbursement shall be paid from the Sanitarian's Registration Account.

700.230 Department meetings and organization. (1) The department shall hold a meeting at least once each year.

(2) The department shall annually elect a chairman from its members.

(3) Three members shall constitute a quorum but no action may be taken on any question unless three members are in accord.

700.240 Authority of board and department; records of proceedings. (1) The board has such authority as is reasonably necessary to administer this chapter.

(2) The chairman and secretary of the

department each has authority to administer oaths and subpena witnesses.

(3) The secretary shall keep a record of all proceedings of the department including a register of all holders of a current certificate of registration. These records shall at reasonable times be open to the public.

700.250 Disposition of department receipts; Sanitarian's Registration Account, appropriation. All fees and other moneys received by the department shall be deposited in the General Fund in the State Treasury to the credit of an account to be known as the Sanitarian's Registration Account, which account hereby is appropriated for the purposes of this chapter. All expenses of the department incurred in administering the provisions of this chapter shall be paid in the manner provided by law out of the Sanitarian's Registration Account.

CHAPTERS 701 TO 705

[Reserved for expansion]