



OHIO LEGISLATIVE SERVICE COMMISSION

Nicholas J. Blaine

Fiscal Note & Local Impact Statement

Bill: H.B. 65 of the 132nd G.A.
(L_132_0528-6)

Status: In House State and Local Government

Sponsor: Rep. Hill

Local Impact Statement Procedure Required: No

Subject: Rules governing assessments of registered sanitarians and sanitarians-in-training who conduct inspections of retail food establishments and food service operations

State and Local Fiscal Highlights

- The Department of Agriculture and the Department of Health could incur some minimal costs to create and administer the written assessment for sanitarians and sanitarians-in-training.

Detailed Fiscal Analysis

Under continuing law, a county board of health or other local entity issues licenses to food service operations, such as restaurants, and retail food establishments, such as grocery stores. As part of that responsibility, the entity inspects the licensees to determine compliance with food safety regulations. These inspections are conducted by registered sanitarians and sanitarians-in-training. At the state level, the Director of Health is responsible for evaluating the local food service operations licensure programs and the Director of Agriculture is responsible for evaluating the local retail food establishment licensure programs. At least once every three years, the directors are required to survey each local licensing entity to determine if the entity is qualified to administer and enforce food safety regulations.

The bill, as part of the survey process, requires the directors to evaluate whether an individual registered as a sanitarian or a sanitarian-in-training has sufficient knowledge to conduct inspections and carry out enforcement actions, via a written or electronic assessment. The assessment will be developed by the directors and the Ohio Environmental Health Association and the Association of Ohio Health Commissioners, not exceed 50 questions, and require at least an 80% score for passage. Sanitarians and sanitarians-in-training will be allowed to review the Ohio Uniform Food Safety Code during the assessment.¹ The Department of Agriculture and the Department of Health could incur an administrative cost in order to develop and administer the assessment.

¹ Please see the LSC Bill Analysis for a description of these criteria.

Synopsis of Fiscal Effect Changes

Sub. H.B. 65 (L_132_0528-6) makes several changes from the As Introduced version of the bill. The bill, As Introduced, required the Director of Agriculture and the Director of Health to review the inspections conducted by sanitarians and sanitarians-in-training to make sure they complied with certain criteria. The directors also had to establish, by joint rules, a mechanism for the reviews and to publish an annual report identifying the most common violations that are missed during inspections. Under the As Introduced bill, the departments would have incurred costs to develop rules and publish an annual report. The substitute bill, as part of the survey process, instead requires the directors to evaluate whether an individual registered as a sanitarian or a sanitarian-in-training has sufficient knowledge to conduct inspections and carry out enforcement actions through a written or electronic assessment. The Department of Agriculture and Department of Health will incur an administrative cost to create and implement the assessment.