



OHIO LEGISLATIVE SERVICE COMMISSION

Bill Analysis

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Sub. H.B. 65

132nd General Assembly

(As Reported by H. State & Local Government)

Reps. Hill, Koehler, Seitz, Cera, Duffey, Blessing, DeVitis, Ryan, Hambley, Carfagna, Brenner, Miller, Kick, Perales

BILL SUMMARY

Evaluations of registered sanitarians and sanitarians-in-training

- Requires the Directors of Agriculture and Health to each adopt rules establishing a method for evaluating a registered sanitarian's and sanitarian-in-training's knowledge of the laws governing food safety, including the Ohio Uniform Food Safety Code.
- Requires the evaluations to be part of board of health surveys that determine if individual boards are qualified to administer and enforce the laws governing retail food establishments and food service operations.
- Prohibits the Directors from using any other assessment than that established by the rules.

CONTENT AND OPERATION

Evaluations of registered sanitarians and sanitarians-in-training

Background

Under current law, the Directors of Agriculture and Health administer the law governing retail food establishments and food service operations. The Director of Agriculture has responsibility over retail food establishments, and the Director of Health has responsibility over food service operations.

A retail food establishment is a premises where food is stored, processed, prepared, manufactured, or otherwise held or handled for retail sale (for example, a

grocery store). A food service operation is a place, location, site, or separate area where food intended to be served in individual portions is prepared or served for a charge or required donation (for example, a restaurant). Generally, boards of health license these facilities and administer and enforce the food safety regulations that govern them. Registered sanitarians and sanitarians-in-training employed by or contracting with boards of health conduct inspections of these facilities. If a board licenses retail food establishments, the Director of Agriculture is responsible for evaluating the board's licensure and inspection program. If a board licenses food service operations, the Director of Health is responsible for evaluating the board's licensure and inspection program.¹

Evaluations

The bill requires the Director of Agriculture and the Director of Health to each adopt rules establishing a method for evaluating a registered sanitarian's and sanitarian-in-training's knowledge of the laws governing food safety, including the Ohio Uniform Food Safety Code.²

The bill requires the evaluations to be included in the surveys that are conducted to assess a board of health to determine if the board is qualified to administer and enforce the laws governing retail food establishments and food service operations respectively.³ If a survey demonstrates that a board of health does not have the capacity to appropriately enforce these regulations, a board of health could lose its authority as the licenser of food service operations or retail food establishments.⁴

Under the bill, the Directors may **only** evaluate a registered sanitarian or sanitarian-in-training through the use of an objective written or electronic assessment that complies with all of the following:

(1) It is developed by the appropriate Director and representatives from the Ohio Environmental Health Association and the Association of Ohio Health Commissioners;

(2) It does not exceed 50 questions in length;

(3) In order to pass the assessment, the individual must correctly answer 80% or more of the questions in the assessment; and

¹ R.C. 3717.01, not in the bill; R.C. 3717.11, not in the bill.

² R.C. 3717.33 and 3717.52.

³ R.C. 3717.33(H) and 3717.52(B).

⁴ R.C. 3717.11, not in the bill.



(4) The individual is allowed to review the Ohio Uniform Food Safety Code during the assessment.⁵

HISTORY

ACTION	DATE
Introduced	02-15-17
Reported, H. State & Local Government	12-11-18

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⁵ R.C. 3717.33(H) and 3717.52(B).

