

**Title 17. Professions, Occupations, and Businesses**

**Chapter XXXI. Arkansas State Board of Sanitarians, Department of Health**

**Subchapter A. Generally**

**Part 165. Rules Pertaining to the Arkansas State Board of Sanitarians**

**Codification Notes.** This part as promulgated prior to codification into the Code of Arkansas Rules provided as follows:

"Promulgated under the authority of: Act 257 of 1977

Act 582 of 1985

ARK. CODE ANN. §17-43-101, et seq."

"Effective Date: March 25, 2024"

"CERTIFICATION

This will certify that the foregoing revisions to the Rules Pertaining to State Board of Sanitarians were adopted by the State Board of Health of Arkansas at a regular session of said Board held in Little Rock, Arkansas, on the 26th day of October, 2023.

Jennifer Dillaha, MD

Secretary of Arkansas State Board of Health Director of the Arkansas Department of Health "

**Subpart 1. Generally**

**17 CAR § 165-101. Definitions.**

As used in this part:

(1) "Automatic licensure" means granting the occupational licensure without an individual having met occupational licensure requirements provided under the Arkansas Code or by other provisions in this part;

(2) "Automatic occupational licensure" means the granting of occupational licensure to an applicant who establishes residency in this state without the individual's having met occupational licensure requirements provided under Title 17 of the Arkansas Code or by this part;

(3) "Contact hour" means approximately fifty (50) minutes of classroom instruction or its equivalent;

(4)(A) "Continuing education unit" means value given for participation in organized continuing education experience under reasonable sponsorship, capable direction, and qualified instruction approved by the Arkansas State Board of Sanitarians.

(B) One (1) CEU is equal to ten (10) contact hours;

(5) "Environmental sanitation" means the study, art, and technique of applying scientific knowledge for the improvement of the environment of mankind for its health and welfare;

(6)(A) "Registered sanitarian" means an environmental health professional educated in the field of environmental health, physical, and biological sciences who meets the requirements of Section 8 (1) and 12 of Acts 1985, No. 582.

(B) Such persons may be specifically trained to organize, implement, and manage environmental health programs;

(7) "Sanitarian in training" means a person who meets the educational qualifications as provided in Acts 1985, No. 582, but does not meet the experience requirements of Acts 1985, No. 582, for registration as a registered sanitarian;

(8) "Training sponsor" means any party responsible for providing continuing education training and/or instruction for the registered sanitarian;

(9) "Uniformed service member" means an:

(A) Active or reserve component member of the:

(i) United States Air Force;

(ii) United States Army;

(iii) United States Coast Guard;

(iv) United States Marine Corps;

(v) United States Navy;

(vi) United States Space Force; or

(vii) National Guard;

(B) Active component member of the National Oceanic and Atmospheric Administration Commissioned Officer Corps; or

(C) Active or reserve component member of the United States Commissioned Corps of the Public Health Service; and

(10) "Uniformed service veteran" means a former member of the United States uniformed services discharged under conditions other than dishonorable.

**Authority.** Arkansas Code § 17-43-203.

**Codification Notes.** "CEU" means continuing education units.

**17 CAR § 165-102. The Arkansas State Board of Sanitarians.**

(a) There is hereby created the Arkansas State Board of Sanitarians, to consist of five (5) members who shall be appointed by the Governor.

(b)(1) Within thirty days (30) after the effective date of Acts 1957, No. 281 (March 27, 1957), the Governor shall appoint five (5) persons as members of the board.

(2)(A) The Arkansas Society of Professional Sanitarians will submit ten (10) names to the Governor of persons eligible to be members of the board.

(B) Of these names, the Governor shall select five (5) names to be the board.

(3) Each ensuing year three (3) names shall be submitted by the Arkansas Society of Professional Sanitarians of qualified persons to the Governor of which one (1) shall be chosen to fill the expired term of the board member.

(c)(1) The term of office shall be fixed so that one (1) member of the board will be retired each year.

(2) The term of the first board members shall be fixed so that one (1) member will be appointed for one (1) year, another for two (2) years, another for three (3) years, another for four (4) years and another for five (5) years.

(3) After that, each member shall be appointed for a five-year period, except for a person who is appointed to fill out the unexpired term of another member.

(4) The term of office shall expire on June 30 of each year.

(d)(1) The board members chosen shall be sanitarians who:

(A) Have been residents in the State of Arkansas for at least one (1) year;

(B) Have had experience in the field of environmental sanitation for at least five (5) years;

(C) Are presently engaged in the field of environmental sanitation; and

(D) Are not less than thirty (30) years of age.

(2) The board member shall hold a current certificate of registration issued by the board, except that the members first appointed shall receive certificate of registration without application or examination.

(3) The board shall adopt and have an official seal, which shall be affixed to all certificates of registration.

(e) The Governor shall fill any vacancy caused by death, resignation, or removal for the unexpired term.

(f) The Governor may remove any member of the board for:

(1) Misconduct;

(2) Incapacity; or

(3) Neglect of duty.

(g) The members of the board shall serve without compensation but shall be reimbursed for their actual and necessary expenses incurred in the performance of their duties.

**Authority.** Arkansas Code § 17-43-203.

**17 CAR § 165-103. Powers.**

(a) The Arkansas State Board of Sanitarians shall have such authority as is reasonably necessary to administer Acts 1985, No. 582.

(b) The Chair of the Arkansas State Board of Sanitarians and Secretary of the Arkansas State Board of Sanitarians may administer oaths and subpoena witnesses.

(c)(1) The secretary shall keep a record of all proceedings of the board, including a register of all holders of a current certificate of registration.

(2) These records shall be open to the public at all reasonable times.

(d) The board may employ and fix the compensation of such assistants, clerks, stenographers, typists, and other employees to serve at the pleasure of the board and to acquire such office space, furniture, supplies, equipment, and other such proper conveniences as may be reasonably necessary for the performance of their duties under Acts 1985, No. 582.

(e)(1) The board shall, as a means to maintain professional competency, promulgate rules establishing standards for continuing education.

(2) The continuing education units shall be direct participation in a course or courses approved by the board.

(3) The standards shall be established in a manner to ensure that a variety of alternative forms of continuing education are available to registered sanitarians, including, but not limited to:

- (A) Academic studies;
- (B) In-service education;
- (C) Institutes;
- (D) Seminars;
- (E) Lectures;
- (F) Conferences;
- (G) Workshops;
- (H) Extension courses;
- (I) Home study programs;
- (J) Articles published; and
- (K) Scientific papers published.

(4) The standards should recognize specialized areas of endeavor.

(5) The board may contract with another agency or association to perform part or all of the duties in establishing procedures to record and retain CEU data for all registered sanitarians in good standing.

**Authority.** Arkansas Code § 17-43-203.

**Codification Notes.** "CEU" means continuing education units.

**17 CAR § 165-104. Meetings.**

(a) The Arkansas State Board of Sanitarians shall hold its regular meetings:

(1) On the fourth Friday in January, April, July, and October; and

(2) At such time as the Chair of the Arkansas State Board of Sanitarians shall appoint.

(b) The board shall elect a chair and secretary from its members appointed by the Governor.

(c)(1) The board shall have the power to call special meetings at such times as a quorum of the board shall deem necessary.

(2) It may meet at such places as a majority may agree upon giving due consideration to the convenience of the board and the applicants for examination or reciprocity.

(d) Three (3) members shall constitute a quorum, but no action may be taken on any questions unless at least three (3) members are in accord.

**Authority.** Arkansas Code § 17-43-203.

**17 CAR § 165-105. Application.**

(a) The Arkansas State Board of Sanitarians shall require all applicants for registration to complete and execute an application for registration in the form furnished by the board.

(b) The same form for application for initial registration shall also be used in applications for reinstatement of former registered sanitarians whose registration has been revoked or cancelled because of:

- (1) An order of the board as authorized by Arkansas Code § 17-43-309; or
- (2) Failure to pay the annual registration fee required by Arkansas Code § 17-43-308.

**Authority.** Arkansas Code §§ 17-43-203, 17-43-308.

### **17 CAR § 165-106. Examinations.**

(a)(1) The Arkansas State Board of Sanitarians shall hold examinations to test the fitness of applicants for registration at such times and places within this state as the board shall determine but shall hold at least one (1) examination every year.

(2) The scope and examination shall be determined by the board.

(b) The board shall admit to examination any person who:

(1) Makes application to the Secretary of the Arkansas State Board of Sanitarians on forms prescribed and furnished by the board;

(2) Pays an application fee of twenty dollars (\$20.00) to defray the expense of examination; and

(3) Submits evidence satisfactory to the board that he or she is a citizen of the United States of good moral character.

(c)(1) The minimum requirements for admission to examination as a registered sanitarian shall be as follows:

(A) A bachelor's degree of public health or master's degree of public health with specialization in sanitary sciences from an approved school of public health; or

(B) College graduate in one (1) of the natural sciences (biology, chemistry, physics, math, Earth, and/or geology) or engineering, with a minimum of thirty (30) semester hours or its equivalent of the above subjects, plus one (1) year's experience in environmental sanitation or approved training courses.

(2)(A) Any person meeting the educational qualifications of this section, but who does not meet the experience requirements of this section, may make application to the board through a process prescribed by the board for acceptance as a sanitarian-in-training.

(B) The board shall accept such application when submitted, if accompanied by the required fee, not to exceed ten dollars (\$10.00), as prescribed by the board.

(c)(1) Within ninety (90) days after an application is filed with the secretary, the board shall notify the applicant whether his or her application for examination was accepted or rejected and if rejected, the reason therefore.

(2) One-half (1/2) of the application fee shall be returned to each rejected applicant.

(d) The secretary shall give reasonable notice by mail of the time and place of examination to each applicant accepted for examination.

(e) Within sixty (60) days after the examination is given, the board shall notify by mail each person who took the examination that he or she has passed or failed the examination.

**Authority.** Arkansas Code §§ 17-43-203, 17-43-303.

**17 CAR § 165-107. Certificate of registration.**

(a) Each person who passes the examination to the satisfaction of the Arkansas State Board of Sanitarians shall be issued a certificate of registration upon payment of a registration fee of ten dollars (\$10.00).

(b) The board shall issue a certificate of registration without examination to any person who:

- (1) Makes application on forms prescribed and furnished by the board;
- (2) Pays a registration fee of ten dollars (\$10.00); and
- (3) Submits satisfactory proof that they:
  - (A) Are of good moral character;

(B) Have had at least two (2) years' experience in the field of environmental sanitation; and

(C) Are 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 or she applies for registration.

(c)(1) Each certificate of registration issued by the board shall expire on June 30 following the date of issue.

(2) A renewal certificate may be issued to:

(A) The holder of a current certificate of registration who makes application prior to the expiration of his or her current certificate and pays a renewal fee of twenty dollars (\$20.00), provided that satisfactory proof of complying with the board's continuing education requirements must accompany renewal applications; and

(B) A former registered sanitarian whose certificate has been suspended or revoked who:

(i) Makes application not more than sixty (60) days after the expiration date of the last certificate issued to him or her;

(ii) Pays a renewal fee of forty dollars (\$40.00); and

(iii) Complies with continuing education requirements.

(d)(1) No person shall offer his or her service as a registered sanitarian or use, assume, or advertise in any way any title or description tending to convey the impression that he or she is a registered sanitarian unless he or she is the holder of a current certificate of registration issued by the board.

(2) A holder of a current certificate of registration may append to his or her name the letters, "R.S."

**Authority.** Arkansas Code §§ 17-43-203, 17-43-306, 17-43-308.

**17 CAR § 165-108. Uniformed service members licensure under Acts 2021, No. 135.**

(a) **Applicability.** This section applies to:

- (1) A uniformed service member stationed in the State of Arkansas;
- (2) A uniformed service veteran who resides in or establishes residency in the State of Arkansas; and
- (3) The spouse of subdivisions (a)(1) or (2) of this section, including a:
  - (A) Uniformed service member who is assigned a tour of duty that excludes the spouse from accompanying the uniformed service member and the spouse relocates to Arkansas; or
  - (B) Uniformed service member who is killed or succumbs to his or her injuries or illness in the line of duty if the spouse establishes residency in Arkansas.

(b) **Automatic licensure.** Automatic licensure shall be granted to persons listed in subsection (a) of this section if the person:

- (1) Is a holder in good standing of occupational licensure with similar scope of practice issued by another state, territory, or district of the United States; and
- (2) Pays the licensure fee.

(c) **Credit toward initial licensure.** Relevant and applicable uniformed service education, training, national certification, or service-issued credential shall be accepted toward initial licensure.

(d) **Expiration dates and continuing education.**

(1) A license expiration date shall be extended for a deployed uniformed service member or spouse for one hundred eighty (180) days following the date of the uniformed service member's return from deployment.

(2) A uniformed service member or spouse shall be exempt from continuing education requirements in this part for one hundred eighty (180) days following the date of the uniformed service member's return from deployment.

(3) Any uniformed service member or spouse exercising the exemption shall provide evidence of completion of continuing education before renewal or grant of a subsequent license.

**Authority.** Arkansas Code §§ 17-43-203, 17-43-306.

**17 CAR § 165-109. Automatic occupational licensure under Acts 2023, No. 457.**

(a) An applicant shall be eligible for automatic occupational licensure if:

(1) The applicant either:

(A) Is in good standing for at least one (1) year as a registered sanitarian with similar scope of practice issued by another state, territory, or district of the United States; or

(B) Has worked for at least three (3) years in the registered sanitarian occupation in another state, territory, or district of the United States that does not use a sanitarian registration to regulate the sanitarian registration for which the applicant is applying;

(2) The applicant does not have a disqualifying criminal offense under Arkansas Code § 17-3-102 or under any additional state law relating to the sanitarian registration;

(3) The applicant does not have a complaint, allegation, or investigation pending in his or her occupational activity in this state or in the state of the applicant's previous residency where the sanitarian registration was granted; and

(4) The applicant passes an examination specific to relevant state laws that regulate the sanitarian registration.

(b) The Department of Health may waive the requirement for the applicant to pass an examination specific to relevant state laws that regulate the sanitarian registration if the department finds that:

(1) The combination of the applicant's education, training, and experience is a sufficient substitute for the state law examination requirement; and

(2) A waiver by the department will not harm public health, safety, or welfare.

(c) Upon the applicant being granted automatic occupational licensure, the applicant shall:

(1) Meet all other registered sanitarian requirements; and

(2) Meet all renewal requirements of the registered sanitarian certification, including without limitation:

- (A) A criminal background check; and
- (B) Continuing education hours.

**Authority.** Arkansas Code §§ 17-43-203, 17-43-306.

**17 CAR § 165-110. Fees.**

(a)(1) All fees or payments of any type collected by the Arkansas State Board of Sanitarians under Acts 1957, No. 281, shall be kept in a separate fund, and the board shall make a report annually to the Governor showing:

- (A) All receipts and disbursements of moneys; and
- (B) A summary of all business transacted during the year.

(2) The per diem and other expenses provided hereunder shall be paid by the board from the fees collected by it.

**(b) Fee waiver pursuant to Acts 2021, No. 725.**

(1)(A) An applicant may receive a waiver of the initial licensure fee, if eligible.

(B) Eligible applicants are applicants who:

(i) Are receiving assistance through the:

- (a) Arkansas, or current state of residence equivalent, Medicaid Program;
  - (b) Supplemental Nutrition Assistance Program;
  - (c) Special Supplemental Nutrition Program for Women, Infants, and Children;
  - (d) Temporary Assistance for Needy Families Program; or
  - (e) Lifeline Assistance Program;
- (ii) Were approved for unemployment within the last twelve (12) months; or
- (iii) Have an income that does not exceed two hundred percent (200%) of the federal poverty income guidelines.

(2) Applicants shall provide documentation showing their receipt of benefits from the appropriate state agency:

(A) For Medicaid, Supplemental Nutrition Assistance Program, Special Supplemental Nutrition Program for Women, Infants, and Children, Temporary Assistance for Needy Families Program, or Lifeline Assistance Program, documentation from the Department of Human Services or current state of residence equivalent agency;

(B) For unemployment benefits approval in the last twelve (12) months, the Division of Workforce Services or current state of residence equivalent agency; or

(C) For proof of income, copies of all United States Internal Revenue Service forms indicating applicant's total personal income for the most recent tax year, e.g., W-2, 1099, etc.

(3) Applicants shall attest that the documentation provided under subdivision (b)(2)(B) of this section is a true and correct copy and fraudulent or fraudulently obtained documentation shall be grounds for denial or revocation of license.

**Authority.** Arkansas Code § 17-43-203.

**17 CAR § 165-111. Suspension and revocation.**

(a) The Arkansas State Board of Sanitarians may refuse to renew or may suspend or revoke a certificate upon proof that the applicant is guilty of fraud, deceit, gross negligence, incompetency, or misconduct in relation to his or her duties as a sanitarian.

(b)(1)(A) Before the board may suspend, revoke, or refuse to renew a certificate of registration it shall set the matter for a hearing before the board, and at least twenty (20) days prior to the date set for hearing it shall give written notices of the charges made and the date and place of the hearing to the accused.

(B) Service of the notice may be made by:

(i) Personal service; or

(ii) Sending it by registered mail to the last known business address of the accused.

(2) The accused shall have the opportunity to be heard in person and by counsel.

(3) An audio recording of the hearing shall be kept and a transcript thereof filed with the board.

(c)(1) The order of the board shall be made within thirty (30) days after the termination of the hearing.

(2) Notice of the order of the board 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 ten (10) days after the order is made.

**Authority.** Arkansas Code § 17-43-203.

**17 CAR § 165-112. Revocation of a suspended license.**

(a) If any licentiate fails for sixty (60) days to pay the annual registration fee, it shall be the duty of the Arkansas State Board of Sanitarians, without hearing or notice, to cancel and revoke his or her registration subject to reinstatement as hereinafter set out.

(b) If the application for reinstatement be made, the board shall consider the moral character and professional qualifications of the applicant upon notice and hearing before ordering reinstatement, and unless such showing shall thereupon be made to the board as would entitle the applicant to the issuance of an original registration, reinstatement shall be denied.

(c) The applicant for reinstatement shall:

(1) File a written application; and

(2) Pay the same fees required for the issuance of an original registration.

(d) Any person practicing as a registered sanitarian while his or her registration is suspended or after it has been cancelled pursuant to the foregoing provisions shall be subject to the penalties prescribed by law.

**Authority.** Arkansas Code §§ 17-43-203, 17-43-306.

**17 CAR § 165-113. Violations.**

(a) The Arkansas State Board of Sanitarians shall have power to determine all matters within its jurisdiction, subject to review of the circuit court or at the option of the aggrieved party, by the circuit court of the county in which he or she resides.

(b) Any person who violates any provisions of Arkansas Code § 17-43-101 et seq., shall be guilty of a misdemeanor and upon conviction thereof shall be punished by fine of not less than fifty dollars (\$50.00) nor more than two hundred dollars (\$200) or by imprisonment not exceeding three (3) months, or by both fine and imprisonment, and each day of such violation shall constitute a separate offense.

**Authority.** Arkansas Code § 17-43-203.

**17 CAR § 165-114. Complaints, hearings, and appeals.**

(a) Any person may file a complaint with the Arkansas State Board of Sanitarians against any person having a license to practice as a registered sanitarian in this state charging him or her with:

(1) Failure to have the necessary qualifications as set out in Arkansas Code § 17-43-303; and

(2) The commission of any of the offenses enumerated and described as unprofessional conduct in Arkansas Code § 17-43-309.

(b) The said complaint shall set forth a specification of charges in sufficient detail that the person so accused shall have full and complete disclosure to him or her of any:

(1) Alleged acts of misconduct;

(2) Impropriety; or

(3) Lack of qualifications.

(c) When such complaint is filed, the Secretary of the Arkansas State Board of Sanitarians shall mail a copy thereof to the person so accused by registered mail at his or her last address of record with a written notice of the time and place of the hearing thereon advising him or her that he or she may be present in person and by counsel, if he or she so desires, to offer evidence and be heard in his or her defense.

(d) The time fixed for such hearing shall not be less than twenty (20) days from the date of the mailing of the notice.

(e) At the time and place fixed for a hearing before the board, the board shall receive evidence upon the subject under consideration and shall accord the person against whom charges are preferred a full and fair opportunity to be heard in his or her defense.

(f) The board shall not be bound by strict or technical rules of evidence but shall consider all evidence fully and fairly, provided, however, that all oral testimony considered by the board must be under oath.

(g) If the person so charged be found not guilty of these things and matters with which he or she is charged, the board shall dismiss the charges or complaint, but should such person be found guilty, the board shall:

- (1) Revoke his or her license;
- (2) Suspend his or her license for a period not to exceed one (1) year; or
- (3) Grant him or her probation under terms and conditions to be determined by it for the best interest of the person so charged and the people of the State of Arkansas.

(h) Appeal may be had by either of the parties from the decision of the board in the manner now provided by law.

(i) All evidence considered by the board shall be reduced to writing and available for the purpose of appeal or certiorari to any of the parties of said hearing.

(j) Nothing herein shall be construed so as to deprive any person of his or her rights without full, fair, and impartial hearing.

(k) The words "license" and "registration" are synonymous in this part.

**Authority.** Arkansas Code § 17-43-203.

**17 CAR § 165-115. Continuing education.**

(a)(1) All registered sanitarians shall be required biennially to complete a continuing education program in subjects relating to practices of the profession.

(2) The number of CEUs shall be determined by the Arkansas State Board of Sanitarians, but shall not be less than two (2) continuing education units every two (2) years.

(3) A maximum of one-half (1/2) the number of required continuing education units in a two-year period may be carried forward to meet continuing education requirements for the following two-year period.

(4) Any continuing education units completed prior to July 1, 1986, cannot be used to meet the requirements of this part.

**(b) Hours of continuing education required.**

(1) All registered sanitarians shall complete the requirements as established under subsection (a) of this section to be eligible to apply for renewal of their registered sanitarian certificate.

(2) A new registrant will be required to complete a prorated number of the biennial requirements of contact hours based from the date of the registration.

**(c) Continuing education courses.** A course of study or program of instruction offered to meet the education requirements for renewal of the certificate of registration shall be in the following areas with the final determination being made by the board:

(1)(A) Credit and noncredit college courses offered by an accredited educational institution of higher learning approved by the board.

(B) A one-hour course is considered the equivalent of ten (10) contact hours.

(C)(i) Such courses shall be related to the functions of a sanitarian.

(ii) This will normally be given broad interpretation, but the registered sanitarian may be required to explain and document the relevance of a particular course to the board;

(2)(A) Attendance at the annual conference of professional, public health organizations such as Arkansas Society of Professional Sanitarians, Public Health Association, etc., may count toward the continuing education requirements.

(B) For prior approval, the conference program should be submitted to the board sixty (60) days in advance of the meeting.

(C) Attendance at the conference shall be certified by an officer of the organization or the conference moderator;

(3)(A) Completion of CEUs awarded by an institution of higher learning or state or national association approved to award CEUs.

(B) These will be approved by the board if the subject area is related to the functions of the registered sanitarian;

(4)(A) Credit may be given for the completion of correspondence courses when related to the registered sanitarian's function, provided that approval is given by the board.

(B) The application must contain:

(i) An outline of the course content;

(ii) The identity of the sponsor; and

(iii) Certification that the applicant satisfactorily completed the course;

(5)(A) Credit may be given for the completion of workshops, courses, and seminars for registered sanitarians sponsored by governmental agencies or industry that have been approved by the board.

(B) Attendance shall be certified by the sponsor; and

(6)(A) Completion of any other type of continuing education program that a registered sanitarian may utilize to stay abreast of the profession.

(B) These programs may be approved either prior to the beginning of the program or on an individual basis after completion of the program.

(C) Some examples include, but are not limited to:

(i) Extension courses;

(ii) Articles published;

(iii) Scientific papers published;

(iv) Course preparation; and

(v) Special areas of endeavor.

**(d) Requirements for approval of continuing education courses.**

(1) Credit or noncredit college courses offered by an accredited educational institution of higher learning and approved by the board are exempt from this section.

(2) Any training sponsor may request board approval of their training program to be accepted as CEUs for registered sanitarians.

(3) The following information must be submitted to the board on a form prescribed and furnished by the board:

(A) Name, address and, telephone number of the training sponsor;

(B) Name of educational coordinator;

(C) A resume of the instructional staff;

(D) Information indicating that the type of training offered meets the requirements in 17 CAR § 165-103; and

(E) A description of the course, instructional material, and the benefits of the course to be derived.

(4) After initial approval by the board, each course shall continue to be approved unless the course is altered or fails to meet the requirements of this part.

(5) The board shall act on all requests for approval of a course within ninety (90) days of receipt of the prescribed forms.

**(e) Submission of continuing education documentation.**

(1)(A) Proof of attendance of continuing education courses and or other substantiating documentation shall be submitted by the registered sanitarian within sixty (60) days from the completion of the course.

(B) All documentation will be recorded on forms prescribed by the board and returned to the registered sanitarian.

(2) It shall be the sole responsibility of the registered sanitarian to ensure that required evidence of meeting continuing education requirements is submitted to the board on forms prescribed and furnished by the board.

(3) The board shall notify all registered sanitarians who have not provided the board documentation of minimum completion of continuing education requirements one hundred eighty (180) days prior to renewal date each biennium.

**(f) Attendance at continuing education courses not previously approved by the board.**

(1) An applicant who wishes to receive credit for attendance at a continuing education course that has not been previously approved by the board shall make application to the board.

(2) Requests for course approval shall be submitted to the board within sixty (60) days of completion of course.

(3) For the board to consider the request, the applicant shall submit adequate documentation to the board on a form provided by the board.

(4) The board shall act on all requests received from applicants within ninety (90) days of receipt.

**(g) List of approved courses.**

(1) Annually, the board shall mail to each registered sanitarian a list of approved courses applying toward the continuing education requirements of this part.

(2) The Secretary of the Arkansas State Board of Sanitarians shall, upon request of a registered sanitarian, provide a list of any additional courses that the board has approved since the most recent mailing.

**(h) Exemptions from continuing education requirements.**

(1) **Nonresident/nonpracticing.** Those who are not residents of Arkansas and/or those who do not practice in Arkansas will be exempt from continuing education requirements until such time as they begin to practice in Arkansas.

(2) The continuing education requirements will not be retroactive but shall be applicable beginning with the first date of practice in the state.

(3) All other requests for exemption shall be submitted to the board for review in accordance with Arkansas Code § 17-43-101 et seq.

**Authority.** Arkansas Code § 17-43-203.

**Codification Notes.** "CEU" means continuing education units.