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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/31/2021	.	
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The Committee on Health Policy (Rodriguez) recommended the following:

Senate Amendment (with title amendment)

Delete lines 139 - 243

and insert:

Section 4. Section 381.0067, Florida Statutes, is amended to read:

381.0067 Corrective orders; ~~private and certain public water systems and~~ onsite sewage treatment and disposal systems.—
When the department or its agents, through investigation, find that any ~~private water system, public water system not covered~~



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11 ~~or included in the Florida Safe Drinking Water Act (part VI of~~
12 ~~chapter 403), or~~ onsite sewage treatment and disposal system
13 constitutes a nuisance or menace to the public health or
14 significantly degrades the groundwater or surface water, the
15 department or its agents may issue an order requiring the owner
16 to correct the improper condition. If the improper condition
17 relates to the drainfield of an onsite sewage treatment and
18 disposal system, the department or its agents may issue an order
19 requiring the owner to repair or replace the drainfield. If an
20 onsite sewage treatment and disposal system has failed, the
21 department or its agents shall issue an order requiring the
22 owner to replace the system. For purposes of this section, an
23 onsite sewage treatment and disposal system has failed if the
24 operation of the system constitutes a nuisance or menace to the
25 public health or significantly degrades the groundwater or
26 surface water and the system cannot be repaired.

27 Section 5. Subsections (2) and (4) of section 381.0101,
28 Florida Statutes, are amended to read:

29 381.0101 Environmental health professionals.—

30 (2) CERTIFICATION REQUIRED.—A person may not perform
31 environmental health or sanitary evaluations in any primary
32 program area of environmental health or an onsite sewage
33 treatment and disposal program under ss. 381.0065 and 381.00651
34 without being certified by the department as competent to
35 perform such evaluations. This section does not apply to:

36 (a) Persons performing inspections of public food service
37 establishments licensed under chapter 509; or

38 (b) Persons performing site evaluations in order to
39 determine proper placement and installation of onsite sewage



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40 ~~wastewater~~ treatment and disposal systems who have successfully
41 completed a department-approved soils morphology course and who
42 are working under the direct responsible charge of an engineer
43 licensed under chapter 471.

44 (4) STANDARDS FOR CERTIFICATION.—The department shall adopt
45 rules that establish definitions of terms and minimum standards
46 of education, training, or experience for those persons subject
47 to this section. The rules must also address the process for
48 application, examination, issuance, expiration, and renewal of
49 certification and ethical standards of practice for the
50 profession.

51 (a) Persons employed as environmental health professionals
52 shall exhibit a knowledge of rules and principles of
53 environmental and public health law in Florida through
54 examination. A person may not conduct environmental health
55 evaluations in a primary program area or an onsite sewage
56 treatment and disposal program under ss. 381.0065 and 381.00651
57 unless he or she is currently certified in that program area or
58 works under the direct supervision of a certified environmental
59 health professional.

60 1. All persons who begin employment in a primary
61 environmental health program or an onsite sewage treatment and
62 disposal system program on or after September 21, 1994, must be
63 certified in that program within 6 months after employment.

64 2. Persons employed in the primary environmental health
65 program of a food protection program or an onsite sewage
66 treatment and disposal system program before ~~prior to~~ September
67 21, 1994, are ~~shall be~~ considered certified while employed in
68 that position and are ~~shall be~~ required to adhere to any



69 professional standards established by the department pursuant to
70 paragraph (b), complete any continuing education requirements
71 imposed under paragraph (d), and pay the certificate renewal fee
72 imposed under subsection (6).

73 3. Persons employed in the primary environmental health
74 program of a food protection program or an onsite sewage
75 treatment and disposal system program before ~~prior to~~ September
76 21, 1994, who change positions or program areas and transfer
77 into another primary environmental health program area on or
78 after September 21, 1994, must be certified in that program
79 within 6 months after such transfer, except that they are ~~will~~
80 not ~~be~~ required to possess the college degree required under
81 paragraph (e).

82 4. Registered sanitarians are ~~shall be~~ considered certified
83 and are ~~shall be~~ required to adhere to any professional
84 standards established by the department pursuant to paragraph
85 (b).

86 (b) At a minimum, the department shall establish standards
87 for professionals in the areas of food hygiene and onsite sewage
88 treatment and disposal.

89 (c) Those persons conducting primary environmental health
90 evaluations or evaluations of onsite sewage treatment and
91 disposal systems must ~~shall~~ be certified by examination to be

92
93 ===== T I T L E A M E N D M E N T =====

94 And the title is amended as follows:

95 Delete lines 23 - 33

96 and insert:

97 systems; amending s. 381.0067, F.S.; conforming



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98 provisions to changes made by the act; amending s.
99 381.0101, F.S.; revising certification requirements
100 for persons performing evaluations of onsite sewage
101 treatment and disposal systems; making technical
102 changes;