



1 educational standards of the profession of safety by certifying  
2 persons who meet its education, experience, examination, and  
3 maintenance requirements.

4 "Certified health physicist" means a person who has  
5 received the designation of a certified health physicist by the  
6 American Board of Health Physics and whose certification has not  
7 lapsed or been revoked.

8 "Certified industrial hygienist" means a person who has  
9 received the designation of a certified industrial hygienist by  
10 the American Board of Industrial Hygiene and whose certification  
11 has not lapsed or been revoked.

12 "Certified safety professional" means a person who has  
13 received the designation of a certified safety professional by  
14 the Board of Certified Safety Professionals and whose  
15 certification has not lapsed or been revoked.

16 "Construction health and safety technician" means a person  
17 who has received the designation of a construction health and  
18 safety technician by the Council on Certification of Health,  
19 Environmental, and Safety Technologists and whose certification  
20 has not lapsed or been revoked.

21 "Council on Certification of Health, Environmental, and  
22 Safety Technologists" means an organization established as a



1 joint effort of the American Board of Industrial Hygiene and the  
2 Board of Certified Safety Professionals to:

- 3 (1) Offer recognition among safety and health  
4 practitioners;
- 5 (2) Demonstrate competence to employers and others;
- 6 (3) Increase employee confidence in occupational health  
7 and safety programs;
- 8 (4) Help improve company profitability through reduced  
9 incidents and losses; and
- 10 (5) Enhance company image.

11 "Department" means the department of commerce and consumer  
12 affairs.

13 "Health physicist" means a person who has the education or  
14 experience equivalent to a baccalaureate or graduate degree from  
15 an accredited college or university in health physics, radiation  
16 safety, radiation protection, biology, chemistry, engineering,  
17 physics, or a closely related physical or biological science, or  
18 has acquired by virtue of special studies and training  
19 competence in health physics. Special studies and training  
20 shall be sufficient in the above cognate sciences to provide the  
21 ability and competency to:



1           (1) Anticipate and recognize the interactions of radiation  
2           with matter and to understand the effects of radiation  
3           on animals, people, and the environment;

4           (2) Evaluate, on the basis of training and experience and  
5           with the aid of quantitative measurement techniques,  
6           the magnitude of radiological factors in terms of its  
7           ability to impair human and environmental health and  
8           well being; and

9           (3) Prescribe methods to prevent, eliminate, control, or  
10          reduce radiation exposure to workers, patients, the  
11          public, and the environment.

12          "Health physics" means the science and art devoted to the  
13          anticipation, recognition, evaluation, and control of  
14          radioactive material releases and potential radiation hazards in  
15          or from the workplace that may cause impaired health and well  
16          being or injury among workers, and may also impact the general  
17          community and the environment.

18          "Industrial hygiene" means the science and practice devoted  
19          to the anticipation, recognition, evaluation, and control of  
20          those environmental factors and stresses arising in or from the  
21          workplace that may cause sickness, impaired health and well



1 being, or significant discomfort among workers, and may also  
2 impact the general community.

3 "Industrial hygienist" means a person who has the education  
4 or experience equivalent to a baccalaureate or graduate degree  
5 from an accredited college or university in industrial hygiene,  
6 biology, chemistry, engineering, physics, or a closely related  
7 physical or biological science, or has acquired by virtue of  
8 special studies and training competence in industrial hygiene.  
9 Special studies and training shall be sufficient in the above  
10 cognate sciences to provide the ability and competency to:

11 (1) Anticipate and recognize the environmental factors and  
12 stresses associated with work and work operations, and  
13 to understand their effects on people and their well  
14 being;

15 (2) Evaluate, on the basis of training and experience and  
16 with the aid of quantitative measurement techniques,  
17 the magnitude of these factors and stresses in terms  
18 of their ability to impair human health and well  
19 being; and

20 (3) Prescribe methods to prevent, eliminate, control, or  
21 reduce these factors and stresses and their effects.



1 "National Registry of Radiation Protection Technologist"

2 means a non-profit corporation established to improve the  
3 practice and educational standards of radiation protection  
4 services by:

5 (1) Certifying persons who meet its education, experience,  
6 examination, and maintenance requirements;

7 (2) Promoting and expanding radiation protection education  
8 and training; and

9 (3) Providing incentives and services to encourage  
10 employers to maintain radiation protection programs  
11 and procedures in the workplace.

12 "Occupational health and safety technologist" means a  
13 person who has received the designation of a occupational health  
14 and safety technologist by the Council on Certification of  
15 Health, Environmental, and Safety Technologists and whose  
16 certification has not lapsed or been revoked.

17 "Registered radiation protection technologist" means a  
18 person who has received the designation of a registered  
19 radiation technologist from the National Registry of Radiation  
20 Protection Technologists, whose registration has not lapsed or  
21 been revoked, and who is engaged in providing protection to



1 radiation workers, the general public, and the environment from  
2 the effects of ionizing radiation.

3 "Safety profession" means the science and art concerned  
4 with:

- 5 (1) The preservation of human and material resources  
6 through the systematic application of principles drawn  
7 from disciplines such as engineering, education,  
8 psychology, physiology, enforcement, and the  
9 management for anticipating, identifying, and  
10 evaluating hazardous conditions and practices;
- 11 (2) The development of hazard control designs, methods,  
12 procedures, and programs;
- 13 (3) The implementation, administration, and advisement of  
14 others on hazard controls and hazard control programs;  
15 and
- 16 (4) The measurement, audit, and evaluation of the  
17 effectiveness of hazard controls and hazard control  
18 programs.

19 **s -2 Professional representation; registration.** (a) No  
20 person shall represent, advertise, or announce oneself, either  
21 publicly or privately, as a certified health physicist,  
22 certified industrial hygienist, certified safety professional,



1 construction health and safety technician, health physicist,  
2 industrial hygienist, occupational health and safety  
3 technologist, or registered radiation protection technologist,  
4 nor use the letters, abbreviations, insignia, or any other words  
5 to indicate or imply representation of any of these professions  
6 unless the person registers the person's name and business  
7 address biennially with the department in a manner established  
8 by rules adopted pursuant to chapter 91, and meets the  
9 applicable qualifications under section -3.

10 (b) The department shall maintain and biennially update a  
11 list of the names and business addresses of the certified health  
12 physicists, certified industrial hygienists, certified safety  
13 professionals, construction health and safety technicians,  
14 health physicists, industrial hygienists, occupational health  
15 and safety technologists, or registered radiation protection  
16 technologists who are registered under subsection (a).

17 (c) A registration granted under this chapter shall mean  
18 that the person has met requirements that include minimum  
19 practice standards to provide protection to the public and is  
20 permitted to use the title and engage in the practice as a  
21 certified health physicist, certified industrial hygienist,  
22 certified safety professional, construction health and safety





1 technician, health physicist, industrial hygienist, occupational  
2 health and safety technologist, or registered radiation  
3 protection technologist. In the granting of permission to  
4 engage in these professions, and consistent with section 436B-2,  
5 the definition for "license" is inclusive of a registration  
6 issued under this chapter and an certified health physicist,  
7 certified industrial hygienist, certified safety professional,  
8 construction health and safety technician, health physicist,  
9 industrial hygienist, occupational health and safety  
10 technologist, or registered radiation protection technologist  
11 that holds a registration shall be similarly regarded as one  
12 that holds a license.

13 § -3 Qualifications. Before using the title or  
14 representing oneself to the public as a certified health  
15 physicist, certified industrial hygienist, certified safety  
16 professional, construction health and safety technician, health  
17 physicist, industrial hygienist, occupational health and safety  
18 technologist, or registered radiation protection technologist, a  
19 person shall meet the following requirements and qualifications:

- 20 (1) A person shall not use the title "certified health  
21 physicist", the initials "CHP", or any variation of  
22 those terms to identify, advertise, or represent by



1 any means of communication that the person provides  
2 health physics services as a certified health  
3 physicist, unless:

4 (A) The person is designated as a certified health  
5 physicist by the American Board of Health  
6 Physics; and

7 (B) The certified health physics designation has not  
8 lapsed or been revoked;

9 (2) A person shall not use the title "certified industrial  
10 hygienist", the initials "CIH", or any variation of  
11 those terms to identify, advertise, or represent by  
12 any means of communication that the person provides  
13 industrial hygiene services as a certified industrial  
14 hygienist, unless:

15 (A) The person is designated as a certified  
16 industrial hygienist by the American Board of  
17 Industrial Hygiene; and

18 (B) The certified industrial hygienist designation  
19 has not lapsed or been revoked;

20 (3) A person shall not use the title "certified safety  
21 professional", the initials "CSP", or any variation of  
22 those terms to identify, advertise, or represent by



1 any means of communication that the person provides  
2 safety services as a certified safety professional,  
3 unless:

4 (A) The person is designated as a certified safety  
5 professional by the Board of Certified Safety  
6 Professionals; and

7 (B) The certified safety professional designation has  
8 not lapsed or been revoked;

9 (4) A person shall not use the title "construction health  
10 and safety technician", the initials "CHST", or any  
11 variation of those terms to identify, advertise, or  
12 represent by any means of communication that the  
13 person provides industrial hygiene or safety services  
14 as a construction health and safety technician,  
15 unless:

16 (A) The person is designated as a construction health  
17 and safety technician by the Council on  
18 Certification of Health, Environmental, and  
19 Safety Technologists; and

20 (B) The construction health and safety designation  
21 has not lapsed or been revoked;



1 (5) A person shall not use the title "health physicist",  
2 the initials "HP", or any variation of those terms to  
3 identify, advertise, or represent by any means of  
4 communication that the person provides health physics  
5 services as a health physicist, unless the person has  
6 the education or experience equivalent to a  
7 baccalaureate or graduate degree from an accredited  
8 college or university in health physics, radiation  
9 safety, radiation protection, biology, chemistry,  
10 engineering, physics, or a closely related physical or  
11 biological science, or has acquired by virtue of  
12 special studies and training competence in health  
13 physics;

14 (6) A person shall not use the title "industrial  
15 hygienist, the initials "IH", or any variation of  
16 those terms to identify, advertise, or represent by  
17 any means of communication that the person provides  
18 industrial hygiene services as an industrial  
19 hygienist, unless the person has the education or  
20 experience equivalent to a baccalaureate or graduate  
21 degree from an accredited college or university in  
22 industrial hygiene, biology, chemistry, engineering,



1 physics, or a closely related physical or biological  
2 science, or has acquired by virtue of special studies  
3 and training competence in industrial hygiene;

4 (7) A person shall not use the title "occupational health  
5 and safety technologist", the initials "OHST", or any  
6 variation of those terms to identify, advertise, or  
7 represent by any means of communication that the  
8 person provides industrial hygiene or safety services  
9 as a occupational health and safety technologist,  
10 unless:

11 (A) The person is designated as an occupational  
12 health and safety technologist by the Council of  
13 Certification of Health, Environmental, and  
14 Safety Technologists; and

15 (B) The occupational health and safety technologist  
16 designation has not lapsed or been revoked; and

17 (8) A person shall not use the title "registered radiation  
18 protection technologist", the initials "RRPT", or any  
19 variation of those terms to identify, advertise, or  
20 represent by any means of communication that the  
21 person provides radiation protection services as a  
22 registered radiation protection technologist, unless:



1 (A) The person is designated as a registered  
2 radiation protection technologist by the National  
3 Registry of Radiation Protection Technologists;  
4 and

5 (B) The registered radiation protection technologist  
6 designation has not lapsed or been revoked.

7 § -4 Commercial representation. (a) A business entity  
8 shall not identify, advertise, or represent itself as a provider  
9 of health physics services furnished by certified health  
10 physicists or health physicists, unless:

11 (1) The name and address of the business entity is  
12 registered biennially with the department; and

13 (2) The health physics services are provided by or under  
14 the direct supervision of a qualified certified health  
15 physicist or health physicist.

16 (b) A business entity shall not identify, advertise, or  
17 represent itself as a provider of industrial hygiene services  
18 furnished by certified industrial hygienists or industrial  
19 hygienists, unless:

20 (1) The name and address of the business entity is  
21 registered biennially with the department; and



1           (2) The industrial hygiene services are provided by or  
2           under the direct supervision of a qualified certified  
3           industrial hygienist or industrial hygienist.

4           (c) A business entity shall not identify, advertise, or  
5 represent itself as a provider of safety services furnished by  
6 certified safety professionals, unless:

7           (1) The name and address of the business entity is  
8           registered biennially with the department; and

9           (2) The safety services are provided by or under the  
10          direct supervision of a qualified certified safety  
11          professional.

12          (d) A business entity shall not identify, advertise, or  
13 represent itself as a provider of industrial hygiene or safety  
14 services furnished by occupational health and safety  
15 technologists, unless:

16          (1) The name and address of the business entity is  
17          registered biennially with the department; and

18          (2) The industrial hygiene or safety services are provided  
19          by or under the direct supervision of a qualified  
20          occupational health and safety technologist.

21          (e) A business entity shall not identify, advertise, or  
22 represent itself as a provider of radiation protection services



1 furnished by registered radiation protection technologists,  
2 unless:

3 (1) The name and address of the business entity is  
4 registered biennially with the department; and

5 (2) The radiation protection services are provided by or  
6 under the direct supervision of a qualified registered  
7 radiation protection technologist.

8 (f) A business entity shall not identify, advertise, or  
9 represent itself as a provider of industrial hygiene or safety  
10 services furnished by construction health and safety  
11 technicians, unless:

12 (1) The name and address of the business entity is  
13 registered biennially with the department; and

14 (2) The industrial hygiene or safety services are provided  
15 by or under the direct supervision of a qualified  
16 construction health and safety technician.

17 § -5 **Certification mark.** A person shall not mislead or  
18 deceive anyone by the unauthorized use of any industrial  
19 hygiene, health physics, or safety certification mark that has  
20 been awarded by the United States Patent and Trademark Office.

21 § -6 **Exceptions; acts not prohibited.** (a) Nothing in  
22 this chapter applies to any person employed as an apprentice





1 under the direct supervision of a certified health physicist,  
2 certified industrial hygienist, certified safety professional,  
3 construction health and safety technician, occupational health  
4 and safety technologist, or registered radiation protection  
5 technologist.

6 (b) Nothing in this chapter applies to any student  
7 studying industrial hygiene, health physics, or safety, and  
8 engaged in supervised activities related to industrial hygiene,  
9 health physics, or safety.

10 (c) Nothing in this chapter applies to any person legally  
11 regulated in this State under any other licensing statute or  
12 rule from engaging in activities permitted under the person's  
13 license; provided that the person does not represent oneself to  
14 the public as a certified health physicist, certified industrial  
15 hygienist, certified safety professional, construction health  
16 and safety technician, health physicist, industrial hygienist,  
17 occupational health and safety technologist, or registered  
18 radiation protection technologist.

19 (d) Nothing in this chapter applies to any person  
20 practicing within the scope of the meaning of industrial  
21 hygiene, health physics, or safety as long as the person does  
22 not use the title, initials, or represents oneself to the public



1 as a certified health physicist, certified industrial hygienist,  
2 certified safety professional, construction health and safety  
3 technician, health physicist, industrial hygienist, occupational  
4 health and safety technologist, or registered radiation  
5 protection technologist.

6       § -7 Injunction. The attorney general or the director  
7 of the office of consumer protection may bring a cause of action  
8 to enjoin any violation of this chapter. An injunction may be  
9 in addition to, and not in lieu of, any penalties provided in  
10 this chapter.

11       § -8 Civil penalty. Any person violating any provision  
12 of this chapter shall be fined a sum of not less than \$500 but  
13 not more than \$1,000 for each violation, which shall be  
14 collected in a civil action brought by the attorney general or  
15 the director of the office of consumer protection on behalf of  
16 the State.

17       § -9 Rules. The department shall adopt rules in  
18 accordance to chapter 91 for the administration of this  
19 chapter."

20       SECTION 2. This Act does not affect rights and duties that



1 matured, penalties that were incurred, and proceedings that were  
2 begun, before its effective date.

3 SECTION 3. This Act shall take effect upon its approval.

4

INTRODUCED BY: Bruner Kohl B/R



**Report Title:**

Industrial Hygiene, Health Physics, and Safety Professions;  
Professional Representation; Qualifications; Registration

**Description:**

Provides professional recognition and title protection for  
specific titles within the occupational health and safety field  
(industrial hygiene, health physics, and safety).

