

## CHAPTER 7

## LICENSURE OF PERSONS FOR PUBLIC HEALTH POSITIONS

## Authority

N.J.S.A. 26:1A-38 et seq.

## Source and Effective Date

R.1990 d.502, effective September 14, 1990.  
See: 22 N.J.R. 1977(a), 22 N.J.R. 3545(a).

## Executive Order 66(1978) Expiration Date

Chapter 7, Licensure of Persons for Public Health Positions, expires on September 14, 1995.

## Historical Note

All provisions of this chapter became effective prior to September 1, 1969.

1976 Revisions: Amendments became effective January 2, 1976 as R.1976 d.1. See: 7 N.J.R. 552(a), 8 N.J.R. 65(a).

1977 Revisions: Amendments became effective March 23, 1977 as R.1977 d.102. See: 8 N.J.R. 512(b), 9 N.J.R. 173(a).

1978 Revisions: Amendments became effective July 1, 1978 as R.1978 d.24. See: 9 N.J.R. 515(b), 10 N.J.R. 62(c).

1980 Revisions: Amendments became effective September 1, 1980 as R.1980 d.317. See: 12 N.J.R. 181(c), 12 N.J.R. 467(b).

1985 Revisions: This chapter expired on April 17, 1985 and was adopted as an Emergency New Rule effective July 10, 1985 (expires September 9, 1985) pursuant to Executive Order 66(1978). See: 17 N.J.R. 1926(a). This chapter was adopted as a New Rule effective September 16, 1985 as R.1985 d.476. See: 17 N.J.R. 1503(a), 17 N.J.R. 2265(a).

1988 Revisions: Section 1.2 "Board of examiners" was repealed and a new section 1.2 "New Jersey Public Health Licensing and Examination Board" became effective June 6, 1988 as R.1988 d.236. See: 20 N.J.R. 364(a), 20 N.J.R. 1204(a).

Pursuant to Executive Order No. 66(1978), Chapter 7 was readopted as R.1990 d.502. See: Source and Effective Date.

See section annotations for specific rulemaking activity.

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## SUBCHAPTER 1. GENERAL PROVISIONS

## 8:7-1.1 Positions requiring a license

(a) A license granted by the New Jersey State Department of Health is required for any person who is employed as a:

1. Health officer;
2. Sanitary inspector, first grade;
3. Sanitary inspector, second grade;
4. Food and drug inspector;
5. Milk inspector;
6. Meat inspector;
7. Veterinary meat inspector;
8. Plumbing inspector, first grade;
9. Plumbing inspector, second grade;
10. Public health laboratory technician.

## 8:7-1.2 New Jersey Public Health Licensing and Examination Board

(a) There shall be established within the New Jersey Department of Health, a board of examiners to be known as the Public Health Licensing and Examination Board.

(b) On behalf of the New Jersey Public Health Council and the New Jersey Commissioner of Health, the Board shall conduct examinations for the licensing of:

1. Health Officer; and
2. Sanitary Inspector, First Grade

(c) The Public Health Council shall prescribe the qualifications necessary for the licensing of Health Officers and Sanitary Inspector, First Grade and shall prescribe the qualifications necessary for the renewal of any license permitted to remain in effect under N.J.S.A. 26:1A-41.

(d) The Board shall be composed of 11 members appointed by the Commissioner of Health as follows:

1. One of the members of the Board shall represent the Commissioner of Health. The Commissioner's representative shall be the Deputy Commissioner or Assistant Commissioner responsible for Local Health Development Services or shall be selected from professional staff of that unit. The individual shall serve as Chairperson of the Board.

2. Three members of the Board shall be licensed Health Officers. Individuals will be recommended to the Commissioner of Health by the Executive Committee of the New Jersey Health Officers Association.

3. Three members of the Board shall be licensed as Sanitary Inspector, First Grade. Individuals will be recommended to the Commissioner of Health by the Executive Committee of the New Jersey Environmental Health Association.

4. One member of the Board shall be a representative of the Commissioner of the New Jersey Department of Environmental Protection.

5. One member of the Board shall be a representative of the New Jersey Department of Personnel.

6. One member of the Board shall be a health professions educator.

7. One member of the Board shall be a consumer representative.

(e) With the exception of the Chairperson, who shall serve in this capacity until replaced by the Commissioner of Health, a Board member is:

1. Appointed for a term of two years; and
2. Permitted to serve for no more than three consecutive terms.

(f) As vacancies occur, the Commissioner of Health shall appoint a person representing the constituency similar to that of the person being replaced. The replacement appointment shall be for completion of the unexpired term.

(g) For the purpose of conducting business, six members of the Board shall be required for a quorum and no actions shall be taken by the Board in the absence of a quorum.

(h) In the absence of the Chairperson at a business meeting, the members of the Board shall elect a Chairperson pro tem to direct the business of that meeting.

(i) Any action of the Board shall require a majority vote of members present. No proxy votes shall be permitted. In order to provide a timely response to issues before the Board, under special circumstances, Board members may be polled by the Chairperson via telephone.

(j) Members of the Board shall serve without compensation, but shall be reimbursed for necessary expenses incurred in the performance of their duties.

(k) The Board shall keep minutes of all meetings and shall transmit the record of all transactions and recommendations to the Public Health Council and the Commissioner of Health.

(l) All business transactions of the Board shall be done with the signature of the Chairperson.

New Rule, R.1988 d.236, effective June 6, 1988.  
See: 20 N.J.R. 364(a), 20 N.J.R. 1204(a).  
Repealed old 1.2 Board of Examiners.

### 8:7-1.3 Submission of evidence of qualification

(a) The State Commissioner of Health in the name of the New Jersey State Department of Health shall grant licenses only to those candidates who submit evidence of the required training and experience, are accepted for testing by the Public Health Examining Board and/or the Commissioner of Health, and who subsequently pass examinations, indicating their fitness for the positions they seek.

(b) A person who desires to be admitted to an examination may obtain an application form from the New Jersey State Department of Health, P.O. Box 1540, Trenton, New Jersey 08625. The application shall be filed with the department and accompanied by documentary evidence satisfying the education, training, and experience requirements for the position. Such documentary evidence shall include an evaluation of the candidate's performance written by the supervisor(s) under whom the candidate obtained such working experience.

(c) In evaluating applications for admission to examinations, the New Jersey high school equivalency certificate will be recognized as the equivalent to graduation from an accredited high school.

### 8:7-1.4 Examination and initial license fees

The New Jersey State Department of Health shall collect a fee, as established by statute, from each qualified candidate for licensure prior to the examination. Such fee will be payable only after a candidate has been notified of eligibility for admission to the examination. Candidates who are successful in passing the examination will not be required to pay an additional fee for the issuance of their initial license.

### 8:7-1.5 Determination of qualified candidates

(a) Appropriate members of the Public Health Examining Board shall review each candidate's application for admission to the licensure examination. Based upon the qualifications of the candidate, the Board shall approve or deny such candidate entrance to the examination.

(b) The candidate and the Department of Health shall be notified within 10 days of the Board's determination. In the case of a denial the candidate shall have the opportunity to appeal the decision of the Board.

### 8:7-1.6 Appeal procedure

(a) Any candidate who has been denied admission to a licensure examination by the Public Health Examining Board may appeal the Board's action according to the following procedure:

1. Within 30 days of notification of denial, the candidate may request, in writing, a reconsideration of his qualifications by the Board;

2. At a regular meeting of the Board, the candidate will have the opportunity to discuss his qualifications. At the conclusion of the discussion, the Board shall vote on the candidate's appeal;

3. In the event that the Board reaffirms its denial decision, the candidate may, within 30 days, request a review of his or her case.

4. At the conclusion of the review, the Commissioner of Health shall issue a final decision.

Amended by R.1990 d.502, effective November 19, 1990.

See: 22 N.J.R. 1977(a), 22 N.J.R. 3545(a).

Candidate given 30 days to request a review.

#### 8:7-1.7 Suspension or revocation of license

(a) Any license issued in accordance with the provisions of P.L. 1947, c.177 (N.J.S.A. 26:1A-41) and the rules governing the licensing of health officers and sanitary inspector, first grade, heretofore issued by the State Department of Health, may be suspended or revoked for any of the causes as defined in Section 43 of P.L. 1947, c.177 (N.J.S.A. 26:1A-43).

(b) Upon written charges alleging any such violation, act or happening being filed by the Commissioner or by the local board of health within whose territory or jurisdiction such violation, act or happening occurred, the licensee shall be entitled to a hearing pursuant to N.J.S.A. 52:14B-1 et seq. and N.J.A.C. 1:1.

New Rule, R.1990 d.502, effective November 19, 1990.

See: 22 N.J.R. 1977(a), 22 N.J.R. 3545(a).

#### 8:7-1.8 Examinations

(a) The Department of Health shall schedule examinations for the licensure of persons for public health positions at least twice a year.

(b) Examinations shall be prepared, conducted and scored in accordance with the department's standard operating procedures with the advice of the Public Health Examining Board.

(c) If any qualified candidate fails an examination for a particular type of license two times, such candidate shall not be permitted entrance to the next examination for that type of license until, and unless, the candidate submits evidence, to the Board of further formal training and supervised experience specifically in those areas in which the candidate was deficient. The board in its discretion, may accept the additional evidence or require the candidate to postpone taking the licensure examination for a period of one year from the date of the last examination. During the one year waiting period the candidate shall be required by the Board to either obtain further training and experience under the supervision of a person licensed for the position for which the candidate seeks licensure, or obtain further educational training and experience through formal courses at an ac-

credited institution of higher education or through recognized professional or governmental bodies. At the conclusion of the one-year period, the candidate shall furnish the Board with a written report from his supervisor or from the educational institution, attesting to the completion of the additional training and experience and may then make application to gain admission to the licensure examination.

Recodified by R.1990 d.502, effective November 19, 1990.

See: 22 N.J.R. 1977(a), 22 N.J.R. 3545(a).

#### 8:7-1.9 Record keeping requirements of the Board

The Public Health Examining Board shall keep minutes of its meetings and shall transmit the record of all its transactions and recommendations to the Commissioner of Health.

Recodified by R.1990 d.502, effective November 19, 1990.

See: 22 N.J.R. 1977(a), 22 N.J.R. 3545(a).

#### 8:7-1.10 Qualifications of candidates for licensure

(a) Regarding the qualifications of health officer candidates, applicants shall meet one of the following qualifications:

1. Diplomate of the American Board of Preventive Medicine or complete eligibility therefor;

2. Degree of doctor or master from an accredited college or university program in a health-related field (recognized as such by the New Jersey Department of Higher Education and/or Education, as appropriate) such as medicine, osteopathy, veterinary medicine, public health, environmental science, health administration, social work, nursing or health education. The core course work for the degree shall include or be supplemented by at least three credits in each of the following: planning, administration, environmental science, social science and epidemiology; and

i. Unless otherwise exempted by statute, satisfactory completion of two years full-time employment in a position providing administrative experience in at least three of the five existing recognized public health activities as specified in N.J.A.C. 8:51.

3. What a candidate for health officer license should know:

i. The health officer is expected to provide leadership in the field of public health in his community. In addition to being the administrative officer of a local health department, he is responsible for evaluating the health problems of his community, planning appropriate activities to meet their health problems, developing necessary budget procedures to cover these activities, and directing the department's staff so as to carry out the activities efficiently and economically. These activities are covered in "Recognized Public Health Activities and Minimum Standards of Performance for Local

Boards of Health in New Jersey". Applicants are examined relative to these essential activities.

(b) Sanitary inspector, first grade, qualifications are as follows:

1. A baccalaureate degree from an accredited college or university recognized as such by the Department of Higher Education and/or Education, as appropriate, with a minimum of 32 credits in the biological sciences, physical sciences, environmental sciences and mathematics; and

2. Successful completion of a course in environmental health and law conducted by an accredited college or university recognized as such by the Department of Higher Education and/or Education, as appropriate. This course must be equivalent to that offered by Rutgers—The State University; and

3. Successful completion of a field training course approved as such by the State Department of Health. Full-time employment for a minimum period of one year in a local health agency (under the supervision of either a licensed health officer or sanitary inspector, first grade), as defined in "Recognized Public Health Activities and Minimum Standards of Performance for Local Boards of Health in New Jersey", will be accepted in lieu of the field training course only if an approved field training course is not available.

4. What a candidate for sanitary inspector, first grade license, should know:

i. The sanitary inspector is responsible for making inspections, compiling proper records of such inspections, informing operators of establishments of violations, the sanitary basis thereof, methods of abating such violations, and securing evidence that may be necessary for legal action. Such inspections shall be in all environmental sanitation activities, particularly those indicated in the "Recognized Public Health Activities and Minimum Standards of Performance for Local Health Departments in New Jersey". Applicants are examined relative to these indicated activities.

(c) The qualifications for sanitary inspection, second grade, are as follows:

1. Satisfactory completion of a two-year associate degree course in a recognized college or university or two years of training in a recognized college or university, recognized as such by the Departments of Higher Education and/or Education, as appropriate, with satisfactory completion of 60 credit hours. The collegiate training shall include credits in the biological and/or physical sciences; and

2. Successful completion of a course in environmental health and law conducted by an accredited college or university recognized as such by the Departments of Higher Education and/or Education, as appropriate. This course must be equivalent to that offered by Rutgers—The State University. Equivalent training and/or experience may be accepted in lieu of completion of the environmental health and law course. The academic qualification is a basic requirement and no substitution is to be accepted.

3. What a candidate for sanitary inspector, second grade license, should know:

i. The sanitary inspector is responsible for making inspections, compiling proper records of such inspections, informing operators of establishments of violations, the sanitary basis thereof, methods of abating such violations, and securing evidence that may be necessary for legal action. Such inspections shall be in all environmental sanitation activities particularly those indicated in the "Recognized Public Health Activities and Minimum Standards of Performance for Local Health Departments in New Jersey". Applicants are examined relative to these indicated activities.

(d) The qualifications for food and drug inspector are as follows:

1. The applicant must hold a license for sanitary inspector, first grade; or

2. Have the qualifications equivalent to those required of a sanitary inspector, first grade, and show evidence at the licensure examination (food and drug inspector) to the satisfaction of the examining board of adequate knowledge of the basic sanitary sciences, such knowledge being equivalent to that possessed by a person having a license for sanitary inspector, first grade; and

i. The applicant must also indicate one year's full-time working experience in food and drug control under the supervision of a license health officer.

3. What a candidate for food and drug inspector license should know:

i. The food and drug inspector is responsible for making inspections, compiling proper records of such inspections, informing operators of establishments of violations, the sanitary basis thereof, methods of abating such violations, and securing evidence that may be necessary for legal action. Applicants are examined relative to these activities.

(e) The qualifications for milk inspector are as follows:

1. The applicant must hold a license for sanitary inspector, first grade; or

2. Have the qualifications equivalent to those required of a sanitary inspector, first grade, and show evidence at the licensure examination (milk inspector) to the satisfaction of the examining board of adequate knowledge of the basic sanitary science, such knowledge being equivalent to that possessed by a person having a license for sanitary inspector, first grade; and

i. The applicant must also indicate one year's full-time working experience in milk control under the supervision of a licensed health officer.

3. What a candidate for milk inspector license should know: The milk inspector is responsible for making inspections, compiling proper records of such inspections, informing operators of establishments of violations, the sanitary basis thereof, methods of abating such violations, and securing evidence that may be necessary to legal action. Applicants are examined relative to these indicated activities.

(f) The qualifications for veterinary meat inspector are:

1. Graduation from a generally recognized school of veterinary medicine, recognized as such by the Departments of Higher Education and/or Education, as appropriate; and

i. Knowledge and skill in the theory and practical application of sanitary sciences, specially in the field of food control.

2. What a candidate for veterinary meat inspector should know: The candidate should be prepared to answer questions covering the public health aspects of the slaughtering and processing of meat. This includes both red meat and poultry. Specifically included may be the following:

i. Basic principals of meat inspection and their application to public health;

ii. State and Federal laws regarding inspection of meat and its products;

iii. Methods of sanitation and types of compounds that may be used in the sanitizing of slaughter houses, meat markets and meat processing plants;

iv. Preservatives that are allowed and those not allowed in meat and its products;

v. Legal methods of sampling meat and its products;

vi. Diseases of animals where carcasses are used for meat or meat products, and whether such diseases are transmissible to humans. Proper disposition of infected and inedible carcasses in accordance with State Health Department regulations;

vii. Elements of a safe water supply and satisfactory method of sewage disposal;

viii. Each candidate may be asked to display his knowledge of inspection and processing techniques in an actual practical examination.

(g) The qualifications for meat inspector are:

1. Except for the substitution of education provided for in 2 below, applicants for meat inspector license must have had, since their 16th birthday, at least three years of experience in one or any combination of the following:

i. Experience with animals such as that gained in the capacity of an assistant to a veterinarian or in field disease control activities;

ii. Experience with livestock or poultry such as that gained in a public stockyard, in the manufacture or preparation of veterinary biological products, or on a ranch, farm or hatchery in the management or handling of livestock or poultry, or in some other comparable activity;

iii. Experience with livestock or poultry slaughtering or poultry or meat processing, an experience in marketing or handling meat or poultry at wholesale or retail outlets;

iv. Experience in dairy, poultry, meat or other food processing in plants or activities where sanitary measures and quality controls are applied;

v. Experience (such as laborer, guard, sales clerk, and so forth), in the activities described above, which does not provide an intimate knowledge of livestock or poultry, livestock slaughtering or meat, dairy or other food processing will not be qualifying. The total training and experience of an applicant must show that he possesses the ability to comprehend, interpret, explain and apply regulations and instruction pertaining to the duties of a meat or poultry inspector, and show that he can meet and deal satisfactorily with employees and officials of poultry eviscerating or processing plants, or meat packing establishments;

2. Educational substitution (maximum of three years of experience) rules are:

i. Satisfactory completion of a full four-year course of accredited high school study which has included at least two one-year courses in biology, general science, chemistry or appropriate agricultural subjects, or a time-equivalent combination of these subjects, may be substituted for one year of the experience required; or

(1) Satisfactory completion of the courses entitled "Inspection of meat and meat products" offered by Rutgers University Extension Division in cooperation with the New Jersey State Department of Health may be substituted for one year of the experience required; or

ii. Each successfully completed year of study in a residence school above the high school level may be

substituted for nine months of required experience, provided that such study included an average of at least six semester hours (or equivalent) per year in one or in any combination of subjects of zoology, biology, chemistry or appropriate agricultural subjects;

3. What a candidate for meat inspector license should know: The candidate should be prepared to answer questions covering the public health aspects of the slaughtering and processing of meat. This includes both red meat and poultry. Specifically included may be the following:

i. Basic principles of meat inspection and their application to public health, and why inspectors look at glands, tissues and organs;

ii. State and Federal laws requiring inspection of meat and its products;

iii. Methods of sanitation of slaughter houses, meat markets and meat processing plants;

iv. Preservatives that are allowed and those not allowed in meat and its products;

v. Legal methods of sampling meat and its products;

vi. Common disease of animals whose carcasses are used for meat and its products;

vii. Principles and procedures to be followed in conducting a postmortem examination under supervision of a veterinary meat inspector, and the normal from abnormal tissue appearance of all food animals;

viii. Each candidate may be asked to display his knowledge of inspection and processing techniques in an actual practical examination. Questions on the practical examination will be of the type to determine knowledge or location and function of the liver, kidney, spleen, heart, lungs, their surrounding and protective tissues, as well as lymph glands—all on actual carcasses under actual inspection procedures;

ix. In addition, each candidate should be able to demonstrate his ability to handle inspection equipment, such as knives, hooks and trays, and to sharpen a knife, if on his observation it needs sharpening to allow him to utilize same in his inspection procedures.

(h) The qualifications for plumbing inspector, first and second grade, are:

1. Possess a New Jersey professional engineer's license, plus successful completion of the advanced course in plumbing regulation and inspection at Rutgers University, or its equivalent; or

2. Possess a license for sanitary inspector, first grade, at least five years full-time working experience in the plumbing trade, plus successful completion of the advanced course in plumbing regulation and inspection at Rutgers University, or its equivalent; or

3. Graduation from high school or equivalent with at least ten years of full-time working experience as a journeyman or master plumber following an apprenticeship<sup>1</sup> of four years, plus successful completion of the basic course in plumbing regulation and inspection at Rutgers University, or its equivalent; or

4. Fourteen years as a journeyman or master plumber, plus successful completion of the basic course in plumbing regulation and inspection at Rutgers University, or its equivalent;

5. What a candidate for plumbing inspector license should know:

i. The candidate for plumbing inspector's license should have detailed knowledge of the proper methods and procedures for all types of plumbing installations used in private dwelling, industrial buildings, office buildings, and so forth, in order that the public health of citizenry be protected;

ii. A plumbing inspector should be able to administer a program which includes techniques of plumbing, method of inspection, enforcement procedures and record keeping.

iii. The candidate should be prepared in the following areas:

(1) Engineering principles of water purification and sewage disposal;

(2) Interpretation and corrections of plans for plumbing and drainage systems;

(3) Methods of testing plumbing systems, locating defects, and improper cross-connections and correcting the same;

(4) Principles of physics and hygiene which deal with the proper methods of removing waste water and sewage from buildings;

(5) Knowledge of standards for materials used in the installation of plumbing and drainage systems;

(6) Ability to draw plans of plumbing system showing soil waste and vent pipes, traps and fixtures;

(7) Devices used in connection with plumbing systems;

(8) Hot water heaters and storage tanks, condensing tanks and blowoff tanks;

(9) Plumbing aspects of air conditioning and ventilating system;

(10) Knowledge of laws and State rules and regulations for installation of cross-connections between safe and unsafe water supplies;

(11) Methods of construction, location and operation of cesspools, septic tanks, small sewage disposal plants and private water supply systems;

(12) Principles of administration, record keeping and communications with public;

(13) Statutes relating to licensing, local board of health powers and State codes;

(14) Procedures for preparing cases for legal action.

(i) Public health laboratory technician rules are:

1. The qualifications for public health laboratory technician license are:

i. Formal education represented by graduation from a recognized college or university, recognized as such by the Departments of Higher Education and/or Education, as appropriate, with a major in the chemical or biological sciences, or its equivalent; or

ii. Certification as "registered technician" by the American Society of Clinical Pathologists in cooperation with the American Society of Medical Technicians;

iii. Graduation from a high school; at least one year of full-time experience in a laboratory performing bacteriological, serological, chemical or related technical laboratory tests. Completion of one year's successful training in a recognized school for laboratory technicians will be accepted in lieu of one year of full-time experience required above;

2. What a candidate for public health laboratory technician license should know:

i. The laboratory technician candidate should have special information and training in the handling, laboratory preparation and examination of specimens for identification of communicable disease organisms. Training should be in the following categories:

(1) Bacteriology: Knowledge of care and use of microscope; preparation of specimens for bacteriological examination; media, their uses and preparation; stains, their application and preparation; methods of sterilization; bacteriological examination of milk and water; and knowledge of laboratory techniques in the handling of infectious material;

(2) Chemistry: General background in chemistry with knowledge of the chemical techniques in blood, food and drug, sanitation, milk and milk products, drinking waters, streams, trade wastes and sewage;

(3) Pathology: Knowledge of preparation, embedding and staining of pathological specimens for examination; use of microtome, preparation of stains, and proper recording of specimens of tissue;

(4) Serology: Knowledge of techniques and principles involved in standard blood tests for syphilis, blood counts, blood grouping and Rh factor determination, and serological tests for communicable diseases;

(5) Virology knowledge and techniques involved in examination or studies of virus infections;

ii. The candidate has the privilege of selecting one of three booklet titles on the day of examination: "Bacteriology", "Pathology", or "Serology". It must be emphasized that each booklet contains a certain number of general questions in addition to those related to title.

Recodified by R.1990 d.502, effective November 19, 1990.  
See: 22 N.J.R. 1977(a), 22 N.J.R. 3545(a).

<sup>1</sup> For the purpose of these qualifications, an apprenticeship is regarded as the first four years of full-time working experience in the plumbing trade under the supervision of a master plumber.