

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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SENATE BILL 430

Short Title: Industrial Hygienists.

(Public)

Sponsors: Senators Odom; Cochrane, Cooper, Lucas, Reeves, and Shaw of Cumberland.

Referred to: Judiciary.

March 19, 1997

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE TITLE PROTECTION FOR THE PROFESSION OF
3 INDUSTRIAL HYGIENISTS.

4 The General Assembly of North Carolina enacts:

5 Section 1. Chapter 90 of the General Statutes is amended by adding a new
6 Article to read:

7 **"ARTICLE 33.**
8 **"INDUSTRIAL HYGIENE.**

9 **"§ 90-515. Definitions.**

10 The following definitions apply in this Article:

- 11 (1) 'American Board of Industrial Hygiene'. – A nonprofit corporation
12 incorporated in 1960 in Pennsylvania to improve the practice of the
13 profession of Industrial Hygiene by certifying individuals who meet its
14 education and experience standards and who pass its examination.
- 15 (2) 'Certified Industrial Hygienist (CIH)'. – A person who has met the
16 education, experience, and examination requirements established by the
17 American Board of Industrial Hygiene for a Certified Industrial
18 Hygienist (CIH).
- 19 (3) 'Industrial Hygiene'. – The applied science devoted to the anticipation,
20 evaluation, and control of contaminants and stressors that may cause

sickness, impaired health and well-being, or significant discomfort and inefficiency among workers and the general public.

(4) 'Industrial Hygienist'. – A person who, through special studies and training in chemistry, physics, biology, and related sciences, has acquired competence in industrial hygiene. The special studies and training must have been sufficient to confer competence in the: (i) anticipation and recognition of environmental contaminants and stressors to which workers and other members of the public could be exposed in industrial operations, office buildings, homes, and the general community; (ii) assessment of the likely effects on the health and well-being of individuals exposed to these contaminants and stressors; (iii) quantification of levels of human exposure to these contaminants and stressors through scientific measurement techniques; and (iv) designation of methods to eliminate or to control these contaminants and stressors, or to reduce the level of human exposure to them.

(5) 'Industrial Hygienist in Training (IHIT)'. – A person who has met the education, experience, and examination requirements established by the American Board of Industrial Hygiene for an Industrial Hygienist in Training (IHIT).

"§ 90-516. Unlawful acts.

(a) No person shall practice or offer to practice as a Certified Industrial Hygienist, perform activities of a Certified Industrial Hygienist, use any advertisement, business card, or letterhead or make any other verbal or written communication that the person is a Certified Industrial Hygienist or acquiesce in such a representation unless that person is certified by the American Board of Industrial Hygiene.

(b) No person shall practice or offer to practice as an Industrial Hygienist in Training, perform activities of an Industrial Hygienist in Training, use any advertisement, business card, or letterhead or make any other verbal or written communication that the person is an Industrial Hygienist in Training or acquiesce in such a representation unless that person is certified by the American Board of Industrial Hygiene.

(c) A violation of this section constitutes an unfair trade practice under G.S. 75-1.1, and a court may impose a civil penalty against the defendant and shall be empowered to issue a restraining order to prevent further use of said title."

Section 2. This act becomes effective January 1, 1998.