

Kansas Administrative Regulations

Department of Health and Environment

Article 72.—Residential Childhood Lead Poisoning Prevention Program

28-72-6a. Application process and requirements for the certification of an elevated blood lead level investigator.

(a) Application for an elevated blood lead (EBL) level investigator certificate.

(1) Each applicant for an elevated blood lead level investigator certificate shall be selected by KDHE. Each selected applicant shall submit a completed application to KDHE before issuance of a certificate.

(2) Each application shall include the following:

(A) A completed lead occupation certificate application on a form provided by KDHE, which shall include the following:

- (i) The applicant's full legal name, home address, and telephone number;
- (ii) the name, address, and telephone number of the applicant's current employer;
- (iii) the applicant's state-issued identification number or federal employment identification number;
- (iv) the county or counties in which the applicant is employed;
- (v) the address where the applicant would like to receive correspondence regarding the application or certification;
- (vi) the occupation for which the applicant wishes to be certified;
- (vii) proof of any certification for lead occupations in other states, including the names of the other states, type of certification, certification expiration date, certificate number, and copies of the other states' certificate or license;
- (viii) proof of any certification by the EPA, including the EPA region number, type of certification, certification expiration date, certificate number, and a copy of the EPA certificate;
- (ix) the type of training completed, including the name of the training provider, diploma identification number, and dates of course attendance;

(x) any employment history or education that meets the experience requirements in subsection (b);

(xi) any criminal history; and

(xii) the signature of the applicant, which shall certify that all information in the application is complete and true to the best of the applicant's knowledge and that the applicant will comply with applicable state statutes and regulations;

(B) a copy of the risk assessor and lead inspector training course completion diploma and any required refresher course completion diplomas; and

(C) documentation pursuant to subsection (b) as evidence of meeting the education or experience requirements for an elevated blood lead level investigator.

(b) Training, education, and experience requirements for an elevated blood lead level investigator certificate.

(1) Each applicant for a certificate as an elevated blood lead level investigator shall complete a risk assessor training course and a lead inspector training course and shall be required to attain passing scores on both course examinations.

(2) Each applicant for a certificate as an elevated blood level investigator shall complete a KDHE-sponsored EBL training course, shall meet the minimum education and experience requirements for a certified elevated blood lead level investigator, and shall be required to attain a passing score on the third-party elevated blood lead level investigator examination.

(3) (A) The minimum education and experience requirements for a certified elevated blood lead level investigator shall include at least one of the following:

(i) A bachelor's degree and experience in a related field, including nursing, public health, housing repair and inspection, lead hazard investigation, or environmental remediation work; or

(ii) an associate's degree and experience in a related field, including nursing, public health, housing repair and inspection, lead hazard investigation, or environmental remediation work; or

(iii) certification as an industrial hygienist, or certification in public health or environmental health; or

(iv) a high school diploma or a certificate of high school equivalency (GED), in addition to experience in a related field, including nursing, public health, housing repair and inspection, lead hazard investigation, or environmental remediation work.

(B) The following documents shall be recognized by KDHE as evidence of meeting the requirements listed in paragraph (b)(3)(A):

(i) Official academic transcripts or diplomas as evidence of meeting the education requirements;

(ii) resumes, letters of reference, or documentation of work experience, which at a minimum shall include specific dates of employment, each employer's name, address, and telephone number, and specific job duties, as evidence of meeting the work experience requirements;

(iii) course completion diplomas issued by the training provider as evidence of meeting the training requirements; and

(iv) appropriate documentation of certifications or registrations.

(4) Upon receipt of a complete and qualifying application, an elevated blood lead level investigator certificate may be issued with specific restrictions pursuant to an agreement between the applicant, the applicant's employer or the applicant's controlling agency, and KDHE.

(c) Procedure for issuance or denial of an elevated blood lead level investigator certificate.

(1) Each applicant shall be informed in writing by the secretary that the application is approved, incomplete, or denied.

(A) If an application is incomplete, the notice shall include a list of additional information or documentation required to complete the application.

(i) Within 30 calendar days after the issuance date of the notice of an incomplete application, the applicant shall submit, to the secretary in writing, the information requested in the written notice.

(ii) Failure to submit the information requested in the written notice within 30 calendar days shall result in the retraction of KDHE's request to the applicant to become an elevated blood lead level investigator and result in the denial of the individual's application for certification.

(iii) After receipt of the information requested in the written notice, the applicant shall be informed by the secretary that the application is either approved or denied.

(B) If an application for certification is denied, the written notice of denial to the applicant shall specify the reason or reasons for the denial. Certification may be denied by the secretary pursuant to K.S.A. 65-1,207(b), and amendments thereto.

(C) If an application is denied, the applicant may, at the request of KDHE, reapply to KDHE for an elevated blood lead level investigator certificate by submitting a complete lead occupation application form.

(D) If an applicant is aggrieved by a determination to deny certification, the applicant may request a hearing with the office of administrative hearings, in accordance with the Kansas administrative procedure act.

(2) Within 180 calendar days after application approval, the applicant shall be required to attain a passing score on the third-party examination for elevated blood lead level investigators.

(A) An applicant shall not sit for the third-party examination for elevated blood lead level investigators more than three times within 180 calendar days after the issuance date of the notice of an approved application.

(B) The applicant's failure to obtain a passing score on the third-party examination for elevated blood lead level investigators within the 180-day period following the notice of an approved application for a certificate shall result in KDHE's denial of the individual's application for a certificate. At the request of KDHE, the individual may reapply to KDHE pursuant to this regulation, but only after retaking the KDHE risk-assessor training course.

(3) After the applicant passes the third-party examination, a two-year elevated blood lead level investigator certificate shall be issued by KDHE.

(4) The certificate shall be issued with specific restrictions pursuant to an agreement between the applicant or the applicant's employer and KDHE.

(Authorized by K.S.A. 65-1,202; implementing K.S.A. 65-1,202, 65-1,203 and 65-1,207; effective April 9, 2010.)