

By: Kirby

To: Business and  
Financial  
Institutions

SENATE BILL NO. 2327

1 AN ACT TO CREATE THE SAFETY PROFESSIONAL TITLE PROTECTION ACT  
2 FOR THE PURPOSE OF RECOGNIZING THE SAFETY PROFESSION; TO ESTABLISH  
3 MINIMUM QUALIFICATIONS FOR A SAFETY PROFESSIONAL; TO REQUIRE THAT  
4 NO PERSON MAY REPRESENT HIMSELF TO THE PUBLIC AS A SAFETY  
5 PROFESSIONAL UNLESS HE HAS MET THE MINIMUM QUALIFICATIONS REQUIRED  
6 BY THIS ACT; TO PROVIDE EXEMPTIONS; AND FOR RELATED PURPOSES.

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

8 SECTION 1. This act shall be known and may be cited as the  
9 "Safety Professional Title Protection Act."

10 SECTION 2. The purpose of this act is to recognize the  
11 safety profession and to require that individuals representing  
12 themselves to the public as safety professionals have met the  
13 minimum qualifications required by this act.

14 SECTION 3. As used in this act, the following terms shall  
15 have the meaning ascribed to them herein unless the context  
16 requires otherwise:

17 (a) "Accredited college or university" is any college  
18 or university offering degrees that are accredited by an  
19 organization recognized by the Council on Higher Education  
20 Accreditation (CHEA) as an accrediting organization. A college or  
21 university that is located outside of the United States shall be  
22 considered on the basis of its accreditation status in the  
23 education system that has jurisdiction.

24 (b) "Accredited program" is a program that is  
25 accredited by the Accrediting Board of Engineering and Technology  
26 (ABET).

27 (c) "Associate safety professional (ASP)" is a person  
28 who has been recognized by the Board of Certified Safety  
29 Professionals and whose recognition has not lapsed.

30 (d) "Board of Certified Safety Professionals (BCSP)" is  
31 a nonprofit corporation established to improve the practice and  
32 educational standards of the profession of safety by certifying  
33 individuals who meet its education, experience, examination and  
34 maintenance requirements.

35 (e) "Certified safety professional (CSP)" is a person  
36 who has been certified by the Board of Certified Safety  
37 Professionals and whose certification has not lapsed.

38 (f) "Education" means a baccalaureate degree from an  
39 accredited college or university in safety, engineering,  
40 chemistry, physics, or closely related physical or biological  
41 science, or a baccalaureate degree from an accredited college or  
42 university that contains at least sixty (60) semester hours in  
43 science, mathematics, engineering or technology, or any  
44 combination thereof, with at least fifteen (15) hours at the upper  
45 level in one or more such areas. An unacceptable bachelor's  
46 degree may be remedied by additional course work from an  
47 accredited college or university or by completion of a related  
48 graduate degree.

49 (g) "Full-time professional safety experience" is  
50 experience in which safety accounts for at least fifty percent  
51 (50%) of the position's activities. Safety shall include  
52 experience in conducting evaluations, providing recommendations,  
53 problem resolution, training programs, consultations, analysis of  
54 accident causes, system analysis, ergonomics and other similar

55 safety/health services. Safety experience includes the ability  
56 to: (i) anticipate, identify and evaluate hazardous conditions  
57 and practices; (ii) develop hazard control designs, methods,  
58 procedures and programs; (iii) implement, administer and advise  
59 others on hazard controls and hazard control programs; and (iv)  
60 measure, audit and evaluate the effectiveness of hazard controls  
61 and hazard control programs.

62 (h) "Occupational health and safety technologist  
63 (OHST)" is a person who by virtue of education, experience and  
64 examination is jointly certified as such by the Board of Certified  
65 Safety Professionals (BCSP) and the American Board of Industrial  
66 Hygiene (ABIH).

67 (i) "Construction health and safety technologist  
68 (CHST)" is a person who by virtue of education, experience and  
69 examination is jointly certified as such by the Board of Certified  
70 Safety Professionals (BCSP) and the American Board of Industrial  
71 Hygiene (ABIH).

72 (j) "Certified hazardous material manager (CHMM)" is a  
73 person who by virtue of education, experience and examination is  
74 certified by the Institute of Hazardous Materials Management  
75 (IHMM) and whose certification has not lapsed.

76 (k) "Institute of Hazardous Materials Management  
77 (IHMM)" is a nonprofit corporation established to certify  
78 individuals in the management of hazardous materials who meet its  
79 education, experience and examination requirements.

80 (l) "Safety profession" is that science and discipline  
81 concerned with the preservation of human and material resources  
82 through the systematic application of principles drawn from such

83 disciplines as engineering, education, chemistry, the physical and  
84 biological sciences, ergonomics, psychology and physiology, for  
85 the purposes of anticipating, identifying and evaluating  
86 potentially hazardous systems, conditions and practices and  
87 developing, implementing, administering and advising others on  
88 hazard control design, methods, procedures and programs.

89 (m) "Safety professional" means an associate safety  
90 professional, a certified safety professional, an occupational  
91 health and safety technologist, a certified hazardous materials  
92 manager or a construction safety and health technologist.

93 SECTION 4. No person may represent himself to the public as  
94 a safety professional unless he meets one or more of the following  
95 criteria:

96 (a) Possesses certification from a nationally  
97 recognized professional safety organization accredited by the  
98 National Commission on Certifying Agencies or the Council of  
99 Engineering and Scientific Specialty Boards; or

100 (b) Is a professional engineer (PE), registered in the  
101 safety discipline from a state which offers specific examinations  
102 in safety engineering through the state body controlling/issuing  
103 engineering licensing and meets the continuing professional  
104 development requirements of a nationally recognized professional  
105 safety organization accredited by the National Commission on  
106 Certifying Agencies or the Council of Engineering and Scientific  
107 Specialty Boards; or

108 (c) Has ten (10) years of documented professional  
109 safety experience in the safety profession as defined in Section  
110 3(g) of this act and meets the continuing professional development

111 requirements of a nationally recognized professional safety  
112 organization accredited by the National Commission on Certifying  
113 Agencies or the Council of Engineering and Scientific Specialty  
114 Boards; or

115           (d) Holds a bachelor's degree, master's degree or  
116 doctoral degree in safety from an accredited program within an  
117 accredited college or university and meets continuing professional  
118 development requirements of a nationally recognized professional  
119 safety organization accredited by the National Commission on  
120 Certifying Agencies or the Council of Engineering and Scientific  
121 Specialty Board; or

122           (e) Holds a bachelor's degree, master's degree or  
123 doctoral degree in safety within an accredited college or  
124 university, has eighteen (18) months of professional safety  
125 experience and meets the continuing professional development  
126 requirements of a nationally recognized professional safety  
127 organization accredited by the National Commission on Certifying  
128 Agencies or the Council of Engineering and Scientific Specialty  
129 Boards; or

130           (f) Holds a bachelor's degree, master's degree or  
131 doctoral degree in science or engineering within an accredited  
132 college or university and meets the professional experience and  
133 continuing professional development requirements of a nationally  
134 recognized professional safety organization accredited by the  
135 National Commission on Certifying Agencies or the Council of  
136 Engineering and Scientific Specialty Boards; or

137           (g) Holds any bachelor's degree from an accredited  
138 college or university and meets the professional experience and

139 continuing professional development requirements of a nationally  
140 recognized professional safety organization accredited by the  
141 National Commission on Certifying Agencies or the Council of  
142 Engineering and Scientific Specialty Boards.

143       SECTION 5. No entity of state or local government shall by  
144 rule or otherwise prohibit or restrict the practice of safety or  
145 injury/illness prevention by a qualified individual who complies  
146 with the provisions established by or in accordance with this act,  
147 except where authorized by state statute to regulate a specific  
148 activity that may include the practice of safety or injury/illness  
149 prevention.

150       SECTION 6. This act shall not apply to:

151           (a) A person employed as an apprentice under the  
152 supervision of a safety professional;

153           (b) A student of safety engaging in supervised  
154 activities related to safety; or

155           (c) Any individual practicing within the scope of the  
156 meaning of safety or injury/illness prevention if the individual  
157 does not use the title or the initials of, or otherwise represent  
158 himself to the public as, a safety professional.

159       SECTION 7. This act shall take effect and be in force from  
160 and after July 1, 2000.