

By: Senator(s) Kirby

To: Insurance

SENATE BILL NO. 2145

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, 2001.