

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023**

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SENATE BILL 691

Short Title: Radon Technician Certification. (Public)

Sponsors: Senators Galey and Lee (Primary Sponsors).

Referred to: Rules and Operations of the Senate

April 10, 2023

A BILL TO BE ENTITLED
AN ACT TO DIRECT THE COMMISSION FOR PUBLIC HEALTH TO ESTABLISH AN
APPROVAL PROCESS FOR RADON PROFICIENCY PROGRAMS.

The General Assembly of North Carolina enacts:

SECTION 1.(a) Definitions. – The following definitions apply in this section:

- (1) Department. – The Department of Health and Human Services, through its Division of Health Service Regulation.
- (2) International Program Approval Standard. – The ISO/IEC 17024:2012 standard, an international consensus standard containing principles and requirements for a certifying entity, and including standards for the development and maintenance of a certification program, including certification programs for radon professionals.
- (3) ISO/IEC. – The joint technical committee of the International Organization for Standardization and the International Electrotechnical Commission.
- (4) Radon professional. – Any individual engaged in the practice of testing for the presence of radon or radon progeny or implementing methods to reduce the concentration of radon or radon progeny in the indoor environment of a building.
- (5) Radon proficiency program approval rules. – Rules adopted by the Commission for the approval of proficiency programs for radon professions as set forth in this section.
- (6) Recognized accreditation body. – A third-party accreditation body that accredits the compliance of Radon Proficiency Programs and is a signatory of the International Accreditation Forum's Multilateral Recognition Agreement.

SECTION 1.(b) Radon Proficiency Program Approval Rules. – The Department shall adopt temporary and permanent radon proficiency program approval rules that provide for all of the following:

- (1) Approval of a term that is no less than one year for radon proficiency programs that meet the criteria set forth in subdivision (3) of this subsection.
- (2) In cases where an application for approval or renewal of approval for radon proficiency program is denied, that a proficiency program shall have 180 days to engage in corrective actions and reapply for renewal before any approval is revoked or, for a new radon proficiency program, before the applicant will have to resubmit a new application.
- (3) Approval of a radon proficiency program that meets either of the following criteria:



- 1 a. Establishing compliance and periodic reaccreditation with the
2 international program approval standard through accreditation by a
3 recognized accreditation body.
- 4 b. Showing to the satisfaction of the Department in a manner that the
5 Department may specify that the radon proficiency program meets the
6 following requirements:
- 7 1. Establishment of a board with members from various private
8 and public sector stakeholders to make decisions regarding
9 curriculum, testing, instructor qualifications, quality assurance
10 and control, continuing education requirements, and
11 procedures for the handling of complaints.
 - 12 2. Minimum training requirements for radon professional
13 certification.
 - 14 3. Examination requirements.
 - 15 4. Continuing education requirements.
 - 16 5. Submission of instructor qualifications demonstrating relevant
17 knowledge and experience.
 - 18 6. Submission to regular audits regarding proper handling of risk,
19 impartiality, and candidate records.
- 20 (4) Publication of a registry of approved proficiency programs in all
21 communications by the Department regarding proficiency programs.

22 **SECTION 1.(c)** Additional Rulemaking Authority. – Notwithstanding
23 G.S. 150B-19(4), rules adopted by the Department shall be substantively identical to the
24 provisions of subsection (b) of this section. Rules adopted pursuant to this section are not subject
25 to Part 3 of Article 2A of Chapter 150B of the General Statutes and shall become effective as
26 provided in G.S. 150B-21.3(b1) as though 10 or more written objections had been received as
27 provided by G.S. 150B-21.3(b2).

28 **SECTION 2.** Transitional Provisions. – Radon proficiency programs currently
29 operating and were included in public listings of programs by the Department at any time after
30 January 1, 2020, shall be deemed to be an approved radon proficiency program under this act
31 until the Commission has adopted permanent rules under Section 1 of this act and has approved
32 or denied approval of the program under those rules.

33 **SECTION 3.** This act is effective when it becomes law.