

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Improve and Modernize the Authority of Local Health Inspectors

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 22 MRSA §2499-A is enacted to read:

§ 2499-A. Local health inspector training for limited inspections

The department shall train local health inspectors for the purpose of performing limited inspections for health and safety violations. Notwithstanding section 2499, subsection 2, a local health inspector who successfully completes training under this section may perform inspections of establishments licensed under this chapter for health and safety violations that pose an imminent threat to the public health and welfare. If a local health inspector performs an inspection pursuant to this section and finds a health and safety violation that poses an imminent threat to the public health and welfare, the local health inspector shall order the immediate and temporary closing of the establishment. An order to temporarily close an establishment issued by a local health inspector pursuant to this section remains in effect until the department issues an order requiring the establishment to remain closed or allowing the establishment to reopen. An inspection conducted pursuant to this section and an order issued pursuant to that inspection do not affect the requirement of a determination of compliance with this chapter every 2 years as required by section 2497. The department shall adopt rules to implement this section. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

SUMMARY

This bill directs the Department of Health and Human Services to train local health inspectors to perform limited inspections for health and safety violations of establishments such as restaurants and lodging places. The bill requires a local health inspector who performs an inspection and finds a health and safety violation that poses an imminent threat to the public health and welfare to order the immediate and temporary closing of the establishment. The bill provides that an order to temporarily close an establishment issued by a local health inspector remains in effect until the department issues an order requiring the establishment to remain closed or allowing the establishment to reopen. The bill provides that an inspection conducted by a local health inspector and an order issued pursuant to that inspection do not affect the requirement of a determination of compliance with state licensing requirements every 2 years as required by current law. The bill requires the department to adopt routine technical rules to implement the new training provision.