

2015 -- H 5577

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LC001441
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2015

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A N A C T

RELATING TO FOOD AND DRUGS

Introduced By: Representative Joseph M. McNamara

Date Introduced: February 25, 2015

Referred To: House Health, Education & Welfare

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 21-27-11.5 and 21-27-11.6 of the General Laws in Chapter 21-27
2 entitled "Sanitation in Food Establishments" are hereby amended to read as follows:

3 **21-27-11.5. Recertification -- Renewal.** -- Every holder of a certificate issued pursuant
4 to these sections shall ~~triennially~~ every three (3) years, present evidence to the division of
5 continued eligibility as established by regulations. All certificates issued pursuant to these
6 sections shall expire ~~triennially~~ after three (3) years on a date as established in the rules and
7 regulations unless sooner suspended or revoked. Application for certification renewal shall be
8 made as described in the rules and regulations. A ~~triennial~~-renewal fee shall be required upon the
9 expiration of each three (3) year term. Managers of municipal or state food establishments shall
10 be exempt from payment of the fee set forth in this section.

11 **21-27-11.6. Requirements of food establishments.** -- (a) Food establishments which
12 prepare potentially hazardous foods shall employ at least one fulltime manager certified in food
13 safety. A certified food safety manager shall be on site at all times during which the kitchen of the
14 food establishment is open or operating. Establishments ~~who~~ which employ ten (10) or more full-
15 time equivalent employees directly involved in food preparation shall be required to employ two
16 (2) managers certified in food safety. In said establishments, at least two (2) certified food safety
17 manages shall be on site at all times during which the kitchen of the food establishment is open or
18 operating. Establishments ~~who~~ which primarily serve the elderly and individuals with diminished
19 immune systems shall have a manager certified in food safety present during preparation of all

1 hot potentially hazardous foods.

2 (b) Notwithstanding subsection (a) of this section, assisted living residences, licensed by
3 the director of health pursuant to chapter 17.4 of title 23, which have a licensed capacity of
4 twenty-five (25) or fewer residents and which employ five (5) or fewer full-time equivalent
5 employees involved in preparation and serving of food, shall only be required to employ one full-
6 time manager certified in food safety.

7 (c) Once a manager certified in food safety terminates employment, establishments shall
8 have sixty (60) days to employ a new manager certified in food safety, or have an individual
9 enrolled in a division approved food manager certification program in food safety.

10 (d) Notwithstanding subsection (a) of this section, assisted living residences, licensed by
11 the director of health pursuant to chapter 17.4 of title 23, which have a licensed capacity of
12 twenty-five (25) or fewer residents and which employ five (5) or fewer full-time equivalent
13 employees involved in preparation and serving of food, shall only have fifteen (15) days to
14 employ a new manager certified in food safety. However said time period may be extended by the
15 division.

16 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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1 This act would require recertification of food service establishments every three (3) years
2 and the presence of food safety managers during operation in food establishments which serve
3 potentially hazardous foods.

4 This act would take effect upon passage.

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