

- SUBJECT:** Establishing and requiring certification for food managers
- COMMITTEE:** Public Health — committee substitute recommended
- VOTE:** 6 ayes — Gray, Delisi, Glaze, Hilderbran, McClendon, Uresti
0 nays
3 absent — Coleman, Capelo, Maxey
- WITNESSES:** For — Glen Garey, Texas Restaurant Association
Against — None
- BACKGROUND:** Currently, only home-rule cities may require certification for food managers. According to a 1995 Texas Department of Health (TDH) survey, 70 percent of food managers in Texas are certified in basic food-safety principles. However, TDH, counties, non-home-rule cities, and public health districts do not have statutory authority to require certification of food managers.
- DIGEST:** CSHB 2293 would require a person who owns, manages, or operates a retail prepared food establishment in Texas to employ a certified food manager after January 1, 2000. A food establishment that handled only prepackaged food that was not potentially hazardous would be exempt. The Board of Health would have to adopt rules to implement the exemptions.
- To obtain a food manager certification, a person would have to pass a test approved by the Board of Health. The board would have rulemaking authority over test administration, fees, sites, and site audits, as well as over issuing, renewing, denying, suspending, and revoking certificates.
- TDH could enforce the bill's provisions and any rules adopted by the board. A county or public health district that had adopted an order regulating food service establishments under Health and Safety Code, chapter 437 would have to enforce the provisions, and any other county or public health district could enforce them. In addition, a county or public health district could offer training for a fee to help food managers obtain certifications.

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The board would have to adopt all rules by November 1, 1999. Except as otherwise noted, the bill would take effect September 1, 1999.