

**2015 -- S 0477 SUBSTITUTE A**

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LC001457/SUB A  
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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: Senators Satchell, Goldin, Sosnowski, Ciccone, and Archambault

Date Introduced: February 26, 2015

Referred To: Senate Health & Human Services

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. Establishments ~~who~~ which employ ten (10) or more full-time equivalent employees  
14 directly involved in food preparation shall be required to employ two (2) managers certified in  
15 food safety. At least one certified food safety manager shall be on site at all times during which  
16 the kitchen of the food establishment is open or operating. Establishments ~~who~~ which primarily  
17 serve the elderly and individuals with diminished immune systems shall have a manager certified  
18 in food safety present during preparation of all hot potentially hazardous foods.

19           (b) Notwithstanding subsection (a) of this section, assisted living residences, licensed by

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

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

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

14 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 the recertification of food service establishments every three (3)
- 2 years, and the presence of at least one food safety manager during the hours of operation of food
- 3 establishments which serve potentially hazardous foods.
- 4           This act would take effect upon passage.

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