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**SPRINGFIELD**

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FILE NO. S-273

**REGISTRATION AND EDUCATION:**  
**Examination Requirements of the**  
**Illinois Sanitarian Registration Act**

Honorable William H. Robinson  
Director  
Department of Registration and Education  
160 North LaSalle Street  
Chicago, Illinois 60601

Dear Sir:

This is to acknowledge receipt of your recent letter requesting an opinion as to whether a licensed veterinarian has sufficient education in environmental health to exempt him from taking an examination under the Sanitarian Registration Act of Illinois, Illinois Revised Statutes 1969, Chapter 111 1/2, Paragraph 551 et seq.

Section 3 of the Sanitarian Registration Act states in part as follows:

"After December 31, 1965, no person shall engage in the practice nor be employed as a Sanitarian unless he has been registered under this Act. After such date, neither the State of Illinois, a county, municipality or other governmental unit nor any person, firm or corporation shall employ as a Sanitarian or a person to perform the functions and duties of a Sanitarian as herein defined who is not registered under this Act. Only a person who has qualified as a registered Sanitarian and who currently is registered by the State of Illinois shall have the right and privilege of using the title, 'Sanitarian,' and to use the abbreviation 'R.S.' standing for 'Registered Sanitarian' after his name."

Section 4 of the Sanitarian Registration Act states in part as follows:

"Any person is qualified to be registered as a Sanitarian who is not less than 21 years of age, of good moral character and temperate habits, a graduate of a college or university recognized and approved by the Department, has satisfactorily completed 45 quarter or 30 semester hours of academic training in the basic physical, chemical, biological or sanitary sciences, has been employed full time in the field of environmental sanitation under the direction of a Sanitary Engineer or registered Sanitarian for at least 3 of the 5 years preceding his application, and who makes the application, passes the examination and pays the fee required by this Act." (Emphasis added.)

Section 5 of the Sanitarian Registration Act gives the Department of Registration and Education the power to register a person as a Sanitarian without examination if such person is duly licensed or registered as a Sanitarian by

examination in some other State if the standards for qualification or licensing or registration in such State are not, in the opinion of the Department, lower than those established by the Illinois Sanitarian Registration Act.

Section 5 of the Illinois Sanitarian Registration Act is the "grandfather clause" which permitted persons meeting the qualifications of that section to register as a Sanitarian without examination if they made application and paid the required fee before January 1, 1968.

Section 8 of the Act states in part:

"Except for those persons originally appointed to the Board [Board of Registration for Sanitarians] and for those entitled to registration under Sections 5 and 6 of this Act, each applicant for original registration shall take and pass a written examination . . . ."

In light of the statutory provisions cited above, it is clear that since January 1, 1968, no person has been able to register as a Sanitarian in the State of Illinois without having taken and passed the written examination required by the Act, except for those out-of-State Sanitarians who could qualify under Section 5 of the Sanitarian Registration Act. Therefore, I must conclude that a licensed veterinarian, who also wishes to register under the Illinois Sanitarian Registration Act, must take and pass the required examination.

However, it should be noted that a person licensed under the Veterinary Medicine and Surgery Practice Act (Ill. Rev. Stat. 1969, Ch. 91, Par. 124.1 to 124.24) may perform all acts and functions legally permitted by such licensing, in spite of the fact that such acts or functions may also be performed by a licensed Sanitarian. A licensed veterinarian or surgeon need not also be licensed under the Illinois Sanitarian Registration Act unless the acts which he performs are not embraced within the scope of the Veterinary Medicine and Surgery Practice Act, but are embraced within the scope of the Illinois Sanitarian Registration Act.

In light of the educational background of persons registered under the Veterinary Medicine and Surgery Practice Act, and the possible overlap of functions performed by veterinarians, surgeons and Sanitarians, it may be desirable to have special provisions for the registration of persons under the Sanitarian Registration Act when such persons are already registered under the Veterinary Medicine and Surgery Practice Act. That is a question appropriately reserved for legislative consideration.

Very truly yours,

A T T O R N E Y G E N E R A L