

PENNSYLVANIA STATE BOARD OF PROFESSIONAL ENGINEERS, LAND SURVEYORS AND GEOLOGISTS



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Continuing Professional Competency Requirements

By: Thomas A. Blackburn, Board legal counsel

Effective June 4, 2011, the Board has promulgated regulations implementing the mandatory continuing professional competency (CPC) requirements for licensed professional engineers, land surveyors and geologists under the Act 25 of 2010 amendments to the Engineer, Land Surveyor and Geologist Registration Law. The CPC requirements are based upon the continuing education provisions of the model law and rules of the National Council of Examiners in Engineering and Surveying (NCEES), the national organization of licensing boards.

Under the Registration Law, each licensee must complete 24 professional development hours (PDH) during each biennial renewal cycle, beginning with the October 2009 through September 2011 renewal cycle. CPC should maintain, improve or expand the skills and knowledge relevant to a licensee's professional practice. CPC may include law and ethics applicable to the profession, but may not include practice building or office management. In addition to traditional lecture courses, CPC may be earned through college courses, correspondence or video courses, seminars and workshops, and technical or professional conferences. This includes teaching or presenting at these events. Credit may also be earned for authoring published papers or books or obtaining patents. The Board may not require that any course be preapproved, but it does have final authority of course approval and PDH values. Licensees are required to maintain records of CPC. Mandatory CPC is not required during the initial renewal cycle of license, licensees serving on temporary active duty for at least 120 days in a year are exempt from CPC during that year, and the Board may waive the CPC requirement for a licensee demonstrating illness or other extenuating circumstances. In order to reactivate an expired license, the licensee must complete all delinquent CPC, not to exceed 24 PDH.

The regulations define "practice building" as marketing or any other activity that has as its primary purpose increasing the business volume or revenue of a licensee or employer and does not involve the practice of engineering, land surveying or geology as defined in the Registration Law other than procuring or offering to procure land surveying work. Education in a professional area is not considered to be practice building and therefore excluded from acceptable CPC merely because it would qualify a licensee to practice in an additional professional area. The regulations define "office management" to include mechanical office and business skills that do not have a professional interest, though it does not include the use of technology in delivering engineering, land surveying or geologic services.

A licensee who holds more than one license may have to complete more than 24 PDH. However, CPC that is applicable to more than one license may be credited to all license classifications to which it is applicable. For example, a licensee who holds both a PE and a PLS license may have to complete 48 PDH. But if the licensee completes 18 PDH applicable to both engineering and land surveying, that licensee would only have to complete an additional 6 PDH applicable to engineering and 6 PDH applicable to land surveying, for a total of 30 PDH. In general, CPC may only be credited to the renewal cycle in which it was completed. The same PDH unit may not be credited to more than one renewal cycle, and a licensee may not receive credit for the same CPC activity more than once in a single renewal cycle. However, a licensee may carry over up to 12 PDH of excess CPC into the next renewal cycle. As no CPC was required during the 2007-09 cycle, up to 12 PDH completed during that cycle may be carried over into the 2009-11 cycle.

In order for the Board to consider a request for a waiver, a licensee must submit a written request with

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all necessary supporting documentation and explain why the licensee is unable to complete the required CPC on time and why granting the request would not harm the public interest, i.e., why it would be safe for the licensee to continue to practice without completing required CPC. A request should be submitted before the end of the renewal cycle, as the Board might take up to 90 days to consider the request. Alternative to waiving the required CPC, the Board may simply grant a reasonable extension of time in which to complete the required CPC.

Upon renewal, each licensee is required to verify completion of the required amount of CPC. Unless the Board has granted a waiver or the licensee is otherwise not required to complete CPC, a licensee who has not completed the required number of PDH will not have the license renewed. In order to reactivate an inactive or expired license, the licensee will be required to show proof of completing the required number of PDH.

Licensees are required to maintain records of CPC for 5 years after completion of the activity. The Board will conduct audits of randomly selected licensees to verify compliance with the CPC requirements. A licensee who is selected for audit will be required to respond timely to the audit request. If the licensee has not maintained or produced records, the Board may infer that the licensee did not complete CPC.

A licensee who did not complete the required number of PDH is subject to disciplinary action. The Board will utilize the Act 48 citation program, with fines set proportionate to the amount of deficiency such that a licensee who completed zero PDH will be fined \$1000. Additionally, the licensee will be required to make up the entire deficiency within six months or be subject to formal disciplinary action that could result in an additional civil penalty or the suspension or revocation of the license. A licensee who did not complete the required number of PDH but permitted the license to expire and did not practice until reactivating the license upon showing completion of the required CPC will not be subject to disciplinary action for not completing the CPC during the prior renewal cycle.

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