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House of Representatives
COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

COMMITTEES

PROFESSIONAL LICENSURE,
MAJORITY CHAIRMAN
LIQUOR CONTROL
FIREFIGHTERS' CAUCUS,
COCHAIRMAN EMERITUS

Original: 1963

June 13, 2000

John R. McGinley, Jr., Chairman
Independent Regulatory Review Commission
14th Floor, Harristown 2
333 Market Street
Harrisburg, PA 17101

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2000 JUN 13 PM 12:14
INDEPENDENT REGULATORY
REVIEW COMMISSION

Dear Chairman McGinley:

I am writing to inform you that the House Professional Licensure Committee held a meeting on June 13, 2000, and voted to approve Regulation 16A-499 and Regulation 16A-612.

Please feel free to contact my office if any questions should arise.

Sincerely,

A handwritten signature in cursive script that reads "Mario J. Civera".

Mario J. Civera, Chairman
House Professional Licensure Committee

MJC/sms
Enclosures

cc: Charles D. Hummer, Jr., M.D., Chairman
State Board of Medicine
K. Stephen Anderson, M.Ed., CRNA, Chairman
State Board of Nursing
James W. Pashek, Chairman
State Board of Landscape Architects
Honorable Kim H. Pizzigrilli, Secretary of the Commonwealth
Department of State

Regulation 16A-612

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State Board of Landscape Architects

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INDEPENDENT REGULATORY
REVIEW COMMISSION

PROPOSAL: Regulation 16A-612 amends 49 PA Code, Chapter 15, State Board of Landscape Architects, to implement mandatory continuing education requirements commencing with the June 1, 2003 biennium.

Regulation 16A-612 is Final Rulemaking which was delivered to the Professional Licensure Committee on June 6, 2000. The Professional Licensure Committee has until June 26, 2000, to approve or disapprove the regulation.

ANALYSIS: The Landscape Architects Registration Law, as amended on December 7, 1994, requires landscape architects, as a condition for biennial license renewal, to complete 10 hours of continuing education.

The final rulemaking package for Regulation 16A-612 was originally submitted by the Board on December 1, 1999, and approved by the Committee on December 7, 1999. At that time, the Board had declined to adopt suggestions from the Committee and the Independent Regulatory Review Commission relating to due process concerns. These concerns stemmed from Section 15.78 of the regulations which permitted the Board to withdraw approval of CE program sponsors without a due process hearing. Subsequently, the Board withdrew the regulation and redrafted Sec. 15.78 to provide that the Board may withdraw course approval following notice and hearing.

The regulations as originally proposed would have required a \$65.00 continuing education provider fee and a \$25.00 licensee application fee for licensees taking non-pre-approved courses. In final form, language has been changed to clarify that it is courses, and not providers which are approved by the Board, and the fees have been increased to \$100.00 for a provider application for course approval, and \$40.00 per clock hour for non-pre-approved courses. The term "clock hour" is now used consistently throughout the regulations.

Credit will be given to for only those course approved by the Board, and licensees are responsible for ascertaining the approved status of a course. Acceptable subject matter for continuing education courses pertain to the enhancement of the landscape architects' professional skills. No more than 5 credits per biennium may be satellite seminars or electronic presentations. The regulations contain a list of pre-approved continuing education providers, which now includes the Pennsylvania Society of Land Surveyors (PSLS). A licensee may submit on a one-time basis per biennium an application for the Board to consider for approval a non-pre-approved course.

Licensees shall retain continuing education records for 4 years. Originally, there was no record retention requirement for continuing education course providers. The Board agreed with a recommendation from the Committee that providers be required to retain records of continuing education hours awarded to licensees to better enable licensees to document credit hours.

The Board will utilize a random audit of renewals to determine compliance with the continuing education requirement. The Board may waive all or part of the continuing education requirement upon written documentation by the licensee of illness, emergency or hardship. A licensee activating an inactive or lapsed license must complete the continuing education requirement for the preceding biennium.

RECOMMENDATIONS: It is recommended that the Professional Licensure Committee approve the regulation.

House of Representatives
Professional Licensure Committee
June 8, 2000