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MICHAEL PATRICK McGEEHAN

PROFESSIONAL LICENSURE COMMITTEE
MAJORITY CHAIRMAN



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House of Representatives
COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

June 9, 2009

Mr. Kim Kaufman
Executive Director
Independent Regulatory Review Commission
333 Market Street, 14th Floor
Harrisburg, PA 17101

RE: Proposed Regulation
State Registration Board for Professional Engineers,
Land Surveyors, and Geologists
16A-4710: CONTINUING EDUCATION

Dear Mr. Kaufman:

The House Professional Licensure Committee on this date voted to take no formal action on Regulation 16A-4710 until final regulation is promulgated and submit the following comments:

1. The Committee acknowledges the receipt of the delivery of this proposed regulation; however, pursuant to Act 170 of 2006, the Final Rulemaking was due on or before July 28, 2008.
2. The Committee advises the Board that it is currently working on legislation addressing continuing education issues of Act 170 of 2006 from a perspective of continuing professional competency requirements which is more consistent with current national professional standards than this proposed regulation.
3. The Committee suggests that the Board comply with the federal standard of fifty (50) minutes for a professional development hour rather than create in the Definition section an hour of continuing education at sixty (60) minutes.
4. The Committee suggests that Section 37.111(b) be revised to allow carryover of continuing education credits in excess of the twenty-four (24) hour requirement into the next biennial renewal period.

5. The Committee requests information on how the Board monitors the six (6) month grace period that Section 37.111 (d) permits within the new biennial period for a licensee to make up any deficiency in continuing education and when the Board imposes the civil penalty for the failure to complete the minimum amount of continuing education.
6. The Committee questions what is considered a certified continuing education record as referred to in Sections 37.112(a) and 37.114(a).
7. The Committee requests information regarding the reference in Section 37.115(c) which allows the Board to deny approval of a course of continuing education where the provider has failed or is not currently able to comply with provider responsibilities of subsection (f). Subsection (f) of Section 37.115 requires the Board to maintain a list of approved courses in a form accessible to licensees and the public which does not address the responsibilities of the provider.
8. The Committee suggests that Section 37.113(e) be amended to allow continuing education credits for authoring published papers, articles or books or obtaining patents, all of which are relevant to professional practice.
9. The Committee requests an explanation of how the Board will implement and monitor Section 37.115(g) which permits a licensee who has attended a non-exempt or non-approved course to apply to the Board for approval and prevents the Board from collecting more than one fee from attendees who request review of applications for approval of the same course. Does the first applicant pay the only fee? Will the Board refund subsequent fee submissions for applications of approval? Will the Board pro-rate the fee among the applicants? Should attendees band together to apply for the approval and submit one fee?

Sincerely,



Michael P. McGeehan
Chairman, House Professional Licensure Committee