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May 29, 2009

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State Registration Board for Professional Engineers, Land Surveyors and Geologists  
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Harrisburg, PA 17105-2649

2009 JUN -4 PM 1:42  
INDEPENDENT REGULATORY  
REVIEW COMMISSION

Dear Mr. Blackburn:

The Pennsylvania Society of Professional Engineers commends the Registration Board for Engineers, Land Surveyors and Geologists for its efforts in developing the proposed regulations regarding continuing education (16A-4710). As part of the process to form the regulations, the Board solicited input from the professional societies representing the various licensed groups. The regulations as published are vastly improved over earlier versions and reflect both the Board's and the engineering community's goal of having continuing education regulations that are flexible for the licensee and at the same time maintain the integrity of continuing professional competency.

A nationally recognized standard for continuing education requirements is published by the NCEES (National Council of Examiners for Engineering and Surveying.) PSPE has advocated for an approach that mirrors the NCEES standard when practical. Unfortunately, the language in the current statute is too narrow to accomplish this goal. For that reason, a legislative effort is underway to provide statutory authority to allow the Board to adopt rules that more closely resemble the NCEES model so that reciprocity with other states is easier to accomplish for Pennsylvania engineers. Of course, there is no assurance that new legislation will be enacted. With that in mind, PSPE offers the following specific comments on the proposed regulations.

#### 37.1 Definitions.

The definition of "Hour of continuing education" is defined in the proposed regulations as "60 minutes of actual instruction in an approved course of continuing education." The more accepted definition for the purpose of continuing education is 50 minutes of instructional time. PSPE suggests that the 60 minutes be changed to 50 minutes to make it consistent with the NCEES model rules on continuing education.

#### 37.113. Credit for approved continuing education.

Subsection (D) allows licensees to earn credit by teaching and preparing a course: "d) A licensee teaching a course of continuing education may receive the same credit that a licensee attending the course would receive and may also receive credit for time spent in preparation. Credit for time spent in preparation may not exceed the credit available for a licensee attending the course." PSPE supports the concept of licensees being permitted to receive credit for both teaching and preparing course work. Unfortunately, this is an example of the limiting nature of the statute and how it inhibits the Board's desire to make the process more flexible. The law states that each licensee "shall be required to complete twenty-four hours of mandatory continuing education during each two-year licensure period". There is no provision to allow for other means of meeting this requirement. While a creative interpretation may allow for teaching a course to qualify as completing 24 hours per the statute, it is hard to imagine that credit for course preparation would also meet the strict language of the Act. Philosophically, PSPE supports the concept of allowing credit to be earned by both teaching and preparing for a qualifying course.

#### 37.114. Approval of continuing education courses.

This section deals with the criteria used to determine, not so much what courses qualify for continuing education credit, but more so what types of organizations would be considered

preapproved providers. Numbers (8) and (9) on the list recognize professional societies as a listed provider of acceptable continuing education.

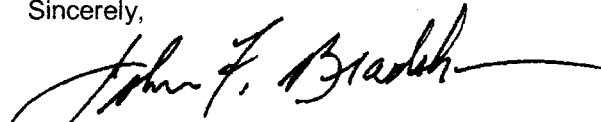
"(8) Any course offered by a national professional society or affiliate or subsidiary.

"(9) Any course offered by a statewide professional society or affiliate or subsidiary."

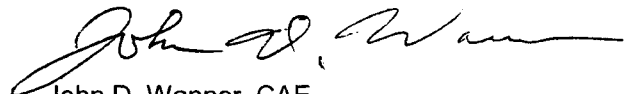
PSPE suggests that (8) and (9) be modified so that it is clear that the "national professional society or affiliate or subsidiary" or the "statewide professional society or affiliate or subsidiary" are societies representing engineers, land surveyors or geologists.

Thank you for consideration of our comments on these regulations.

Sincerely,



John F. Bradshaw, PE, PLS, F.NSPE  
PSPE President



John D. Wanner, CAE  
PSPE Executive Director