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Blackburn, Thomas

From: Kocher Terrie
Sent: Monday August 31 2009 2 32 PM
To: Blackburn Thomas
Subject: FW: License renewal Ce Courses Promulgation criteria

-----Original Message-----

From: GENE C. ULMER [mailto:gulmer@temple.edu]
Sent: Tuesday, August 25, 2009 3:25 PM
To: ST, ENGINEER
Subject: License renewal Ce Courses Promulgation criteria

FROM Dr. Gene C. Ulmer. Professor Emeritus(Geology) P.G. 001594-G

I am writing to comment on the new Promulgation of Continuing Education Regulations regarding Professional License renewal procedures.

I realize that the overall intention is to have active engineers be the only ones able to receive a PA license to practice and that is commendable.

But the criteria that you have disclaimed as being able to be used to prove current professional activity and knowledge are very stange choices in my humble opinion.

I quote from p 2. "Act 170 require(s) each licensee to complete mandaory continuing education during each biennial period."

" C.E. credits will not be awarded for license participation in any professional organization or society or for authoring a paper or receiving a patent "

First of all, I doubt that this will stand up to the any legal challenge, but in a less 'hostile' set of comments, let me ask you first to examine some logic:

1) Your wording has assumed that not even the Presidency of the Geological Society of America, nor the Presidency of the American Mineralogical Society, nor the Council Members of the American Geophysical Union, nor the Secretary General of the European Union of Geoscientists, could or would be awarded any professional belief for their Society activity as being proof of their currency of their knowledge of the geosciences.

These examples point to the absurdity of this rule about activity in a professional society. General Membership may be should not count as ongoing recognition of professional profile, but certainly officership and any active committees within the professional societies are not peopled by inactive or senile members ! To deny the recognition of active participation in the officer-ship of professional societies as a valid updating of professional experience is unjust .

2) You have assumed that the presentation of a professional paper is not a substitute for a CE course. The usual process of paper selection for presentation is peer review of the pertinent Program Committee, or by actions of the inviting institution. These are certainly proof of merit as to recognition of the author's professional ongoing profile of distinction.

This lack of recognition of invited or peer-reviewed paper-presentation also is absurd and needs rethinking. Yes, 'old dogs need to learn new tricks' to stay current, but being asked or chosen to

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present a paper at a National or International Professional Meeting or at some prestigious institution is the time-honored procedure at establishing any Who's-Who Recognition. The Licensing Bureau in Harrisburg would apparently rather override the profession's own recognition scales and methods? The extreme example could be that you apparently would ask a Nobel Prize winner to have a refresher course before being able to claim knowledge as a consultant ?

3) You further refuse to accept that authoring a paper or receiving a patent is proof of professional license-ability without a refresher course ?

These ideas are also disrespectful of the Earth Science Professional publication procedures. As an extreme example. University Merit Committees are the world's most notoriously-hard-to-convince of professional merit accomplishment. BUT they will gladly accept peer-reviewed authored papers, patents and grants as definite proof of current accomplishment. Again it seems Harrisburg would surplant such criteria with the need of an approved refresher course ? Does that make total sense ? Even the approved CE refresher course may have absolutely no subject material at all pertinent to the topic about which, or for which, the licensee is selling licensed consulting services?

4) You have as well omitted at least one category of professional behaviour.i.e.. what of editorships?

Certainly any one who is currently Editor or Associate Editor of a Library of Congress- recognized Professional Journal in Earth Science (etc.) is by definition at the fore-front of that field. Is that activity also not going to count for proof of currency in knowledge for PA Licensing ?

5) And in a déjà vu-all-over -again aspect, what of the current geoscience educators who are not teaching the exact CE courses? Do they have to take a course to stay current? Apparently ? And that battle is the déjà vu of the original aspect of licensing: if you are an educator, you are selling expertise without a valid license unless you keep it valid ? What of this situation for educators? Old question coming up yet again ?

Having spoken up, let me also add that I understand that as materials research, and as environmental laws and as zoning ordnances change with time. I do understand that refresher-courses may be necessary. But the cross-examining lawyers in court cases are your guardians in that respect...if you 'aint got the up to date background', they will annihilate you as a meaningless consutlant in their cross-examinations.

It may make sense to discuss this last idea with an exact example: If I am being asked by a township to help them delineate geological bedrock boundaries, perhaps for groundwater-related zoning reasons. I have enough sense to let the Twshp's attorneys go to the zoning hearing, as it is not my specialty. I have only interpreted the bed rock type. A refresher course for me is not going to change the bedrock boundary, given that I used existing published maps with my own geophysical data and instrumental study and direct drilling to conclude the boundary in the first place ? So the refresher course is for 'show' and not for any improvement of what help I can give to the Twshp as a PA licensee in this example.

HENCE for all these reasons, I do not think the intended promulgation is correct in its focusing points. Encourage CE courses....YES... BUT require them and then simultaneously deny any valid and current professional activities as valiod substitutes of worthy experience is not right !

Humbly submitted,

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I would hope for an acknowledgement of receipt and also some answer(s) to the points raised. as I am not alone in this thinking ?