



## **H.B. 322**

125th General Assembly

(As Reported by H. Homeland Security, Engineering, and Architectural Design)

**Reps. Widener, Kearns, Hollister, Kilbane, Taylor, Otterman, Allen**

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### **BILL SUMMARY**

- Grants explicit authority to the State Board of Examiners of Architects and to the State Board of Landscape Architect Examiners to adopt rules pertaining to continuing education requirements for architects and landscape architects, respectively.
- Requires architects and landscape architects complete any continuing education requirements the respective licensing board of each profession establishes in order to renew a certificate of qualification.
- Requires professional engineers and surveyors to complete the continuing professional development requirements the bill establishes in order to renew a certificate of qualification.
- Allows the State Board of Registration for Professional Engineers and Surveyors to waive continuing professional development requirements for registrants serving in the active military.
- Sets forth ways in which engineers and surveyors may satisfy continuing professional development requirements and establishes the amount of credit that may be earned for different activities.
- Requires that engineers and surveyors maintain a log of continuing professional development activities and permits the State Board to audit a person's log at any time and establishes sanctions for a person who is discovered to have not completed requirements.

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## **CONTENT AND OPERATION**

### **Continuing education for architects**

The State Board of Examiners of Architects has authority under continuing law to adopt and "enforce rules governing the standards of education, service, conduct, and practice to be followed in the practice of the profession of architecture in the state . . . ." The bill grants the board explicit authority to adopt rules "pertaining to the satisfactory completion of continuing education requirements." (R.C. 4703.02.)

Under current law, an architect may renew a certificate of qualification in accordance with the standard license renewal procedures in Chapter 4745. of the Revised Code by applying to the State Board of Examiners of Architects for renewal and paying the renewal fee. The bill adds the requirement that the architect demonstrate satisfactory completion of any applicable continuing education requirements that the State Board of Examiners of Architects adopts. (R.C. 4703.13.)

### **Continuing education for landscape architects**

The State Board of Landscape Architect Examiners has authority under continuing law to adopt and "enforce rules governing the standards for education, experience, services, conduct, and practice to be followed in the practice of the profession of landscape architecture." The bill grants the board explicit authority to adopt rules "pertaining to the satisfactory completion of continuing education requirements." (R.C. 4703.33.)

Under current law, a landscape architect may renew a license in accordance with the standard license procedures in Chapter 4745. of the Revised Code. The bill adds the requirement that the landscape architect demonstrate satisfactory completion of any continuing education requirements the state board adopts. (R.C. 4703.36.)

### **Continuing professional development for professional engineers and surveyors**

#### **Continuing education requirements**

Current law does not require a person seeking registration renewal to complete any continuing education or professional development requirements. The bill requires that each registrant for renewal for calendar year 2008 and thereafter to complete, within the preceding calendar year, at least 15 hours of continuing professional development. (R.C. 4733.151(A).)

To renew a professional engineer or professional surveyor certificate of qualification with the State Board of Registration of Professional Engineers and Surveyors under current law, an engineer or surveyor must renew in accordance with the standard license renewal procedures of Chapter 4745. of the Revised Code and pay a renewal fee to the treasurer of state. The bill adds the requirement that the engineer or surveyor also must complete the continuing professional development requirements the bill establishes. (R.C. 4733.15(A).)

**Waiver for military on active duty**

Under current law, the state board may waive the renewal fees when a person is on active duty in connection with any branch of the armed forces of the United States. The bill enables the board also to waive the completion of continuing professional development requirements for persons on active duty. (R.C. 4733.15(B).)

**Sanctions for failure to renew registration**

Current law permits the state board to establish procedures and sanctions when a person fails to renew a registration in a timely manner. The bill authorizes the board to require a person who fails to renew registration, but who seeks renewal after January 1, 2009, to complete up to 30 hours of continuing professional development as an additional condition of renewal and reinstatement if the person seeks renewal and reinstatement within one year after a registration has lapsed. (R.C. 4733.15(C).)

**Means of earning credit**

The bill does not establish a formal program of continuing professional development for engineers and surveyors but instead permits the requirement to be met in a variety of ways. The requirement may be satisfied by taking or teaching college or university courses, participating in activities dealing with technical, ethical, or managerial topics relevant to the practice of engineering or surveying, attending seminars, workshops, or conferences, authoring relevant published papers, articles, or books, receiving patent awards, or actively participating in professional or technical societies serving the engineering or surveying professions. (R.C. 4733.151(B).)

**Amount of credit for activities**

Under the bill, credit for university or college level coursework is based on the credit the university or college establishes with one semester hour being the equivalent of 45 hours of continuing professional development and one quarter

hour of crediting being the equivalent of 30 hours of continuing professional development.

Credit for seminars, workshops, or conferences offering continuing education units are awarded on the units the organization presenting the seminar, workshop, or conference awards. A registrant may earn ten continuing professional development hours for each continuing education unit awarded. Each hour of attendance at a seminar, workshop, or conference for which no continuing education unit is offered is the equivalent of one continuing professional development hour.

A registrant may earn two continuing professional development hours for each year of service as an officer or active committee member of a professional or technical society or association that represents registrants or entities composed of registrants. Registrants may earn ten continuing professional development hours for each published paper, article, or book. A registrant may earn ten continuing professional development hours for each patent award. (R.C. 4733.151(B).)

#### **Requirements for dual registration**

The bill provides that persons registered as both a professional engineer and a professional surveyor complete at least five of the 15 required hours in engineering-related coursework or activities and at least five of the 15 hours in surveying-related coursework or activities. (R.C. 4733.151(C).)

#### **Exemption and carryover**

Under the bill, a person is exempt from the continuing professional development requirement during the first calendar year of registration. The bill also allows a person who completes more than 15 hours of approved coursework or activities in any calendar year to carry forward to the next calendar year a maximum of 15 of the excess hours. (R.C. 4733.151(D) and (E).)

#### **Individual to maintain records**

The bill does not require any state agency including the State Board of Registration for Professional Engineers and Surveyors to maintain continuing professional development records for architects and surveyors but instead requires each individual registrant to maintain personal records for three calendar years after their registration is obtained. The individual must keep records that include:

(1) A log specifying the type of coursework or activity, its location and duration, along with the instructor's name and the number of continuing professional development hours earned;

(2) Certificates of completion or other evidence verifying attendance.

**Possibility of audit**

The bill does not establish any specific method for auditing individual professional development records but permits the State Board of Registration for Professional Engineers and Surveyors to audit a person's records at any time. If the board discovers that a person has failed to complete the requisite coursework or activities, the bill directs the board to notify the person of the deficiencies and allow six months from the date of the notice to rectify the deficiencies and to provide the board with evidence of satisfactory completion of the continuing professional development requirements. If the person fails to provide the evidence, the board may revoke or suspend the registration after offering an adjudication hearing in accordance with the Administrative Procedure Act.

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**HISTORY**

ACTION	DATE	JOURNAL ENTRY
Introduced	11-06-03	p. 1053
Reported, H. Homeland Security, Engineering, & Architectural Design	01-21-04	p. 1503

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