



COMMONWEALTH OF PENNSYLVANIA
Department of State
Bureau of Professional and Occupational Affairs

Testimony on House Bill 2706

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Pennsylvania Convention Center

Good morning Chairman Sturla, Chairman Adolph, and Members of the House Professional Licensure Committee. Thank you for inviting the Department of State (Department) here today to provide testimony on House Bill 2706 which requires 24 hours of continuing education as a condition of biennial renewal of a license to practice architecture in the Commonwealth. For the record, my name is Basil Merenda and I am the Commissioner of the Department of State, Bureau of Professional and Occupational Affairs (BPOA). As Commissioner, I administer the Commonwealth's 27 licensing boards and sit as an ex officio and voting member on 25 of those boards including the State Architects Licensure Board (Board).

Under current law, the State Architects Licensure Board does not have the authority to require continuing education requirements on licensees. The Board believes that any architect holding a license issued by the Board should be required to complete continuing education as a condition of the biennial renewal of their license. Consequently, the

Department can enthusiastically support HB 2706 which would provide the Board with the authority to require continuing education as a condition of licensure.

Simply put, BPOA considers continuing education an important component in keeping practitioners of all professions and occupations competent and up to date with the rapidly changing practices of their profession and occupations. Indeed, continuing education is widely accepted as a mechanism to improve the public confidence in the competence of the various professions licensed in the Commonwealth. Accordingly, the Rendell Administration, the Department of State and BPOA submit that requiring Architects, in the case of this legislation, to complete 24 hours of continuing education credits as a condition of biennial licensure renewal sends a clear and unequivocal message that anyone who wants to practice the Architecture profession in Pennsylvania must be prepared to maintain high standards of professionalism and to keep up with the developments in the field all for the sake of protecting the health, safety, and welfare of every consumer in the Commonwealth of Pennsylvania.

From a legislative standpoint, I would like to compliment the Committee's staff for the hard work that went into drafting HB 2706. In that regard, I would like to offer the assistance of BPOA's legal staff to work with the committee to include a few technical revisions in the legislation. My staff and I can share those technical revisions directly with the Committee staff as a follow up to my testimony.

Finally, since the clear goal of HB 2706 is to provide additional protections for consumers and to hold licensees directly accountable for maintaining the integrity of the Architect profession, I would like to take the opportunity, posed by this legislative initiative, to request that the Committee consider an amendment to HB 2706 to provide the Architect Board with the authority to impose as discipline fines of a maximum of \$10,000 as well as authority to impose costs of investigation on disciplined licensees as part of a Board's final adjudication. These two provisions are already in HB 1188.

As the Committee knows, HB 1188, which was passed unanimously and crossed chambers on March 10, 2008, seeks to provide to all of BPOA's 27 licensure boards the authority to increase to \$10,000 the maximum civil penalty that can be imposed by a board in a discipline matter, as well as, the authority to impose costs of investigation on disciplined licensees as part of a final adjudication. BPOA, of course, would prefer the Bureau-wide approach in HB 1188. However, HB 2706 will provide this Committee and the entire General Assembly the opportunity to include HB 1188's two important consumer protection tools directly into the enabling act of a BPOA licensure board as an amendment. In this case, the Architect Licensure Act would be amended directly.

In fact, this Committee and the Full House and Senate have already successfully applied this precise approach to the Accountancy Profession in the recently enacted Act 73 of 2008 (SB 838), which provided the Accountancy Profession with substantial equivalency. In that initiative, the Committee took a very commendable forward looking approach and inserted the so called \$10,000 maximum fine provision, as well as, the cost of

investigation provision of HB 1188 directly into the Accountancy Practice Act (known as the CPA Law Act 140) as an amendment at the time to SB 838. Consequently, as the result of the Governor's approval on July 9, 2008, the two provision of the "pending" HB 1188 are now currently a part of the Accountancy Practice Act and will apply to all Certified Public Accountants who practice in the Commonwealth. Therefore, the Department would respectfully request that the Committee take the same approach with the Architect Profession and include the \$10,000 maximum fine provision and cost of investigation provision as an amendment to HB 2706.

Thank you for this opportunity. Accordingly, I respectfully present these comments to the Committee for its consideration. I welcome any question you have may have.