

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 655 Session of
2005

INTRODUCED BY MADIGAN, STOUT, O'PAKE, M. WHITE, COSTA, RAFFERTY,
RHOADES, BOSCOLA, D. WHITE, ORIE AND WONDERLING, MAY 26, 2005

AS REPORTED FROM COMMITTEE ON PROFESSIONAL LICENSURE, HOUSE OF
REPRESENTATIVES, AS AMENDED, OCTOBER 17, 2006

AN ACT

1 ~~Amending the act of May 23, 1945 (P.L.913, No.367), entitled, as~~ <—
2 ~~amended, "An act relating to and regulating the practice of~~
3 ~~the profession of engineering, including civil engineering,~~
4 ~~mechanical engineering, electrical engineering, mining~~
5 ~~engineering and chemical engineering, the profession of land~~
6 ~~surveying and the profession of geology and constituent parts~~
7 ~~and combinations thereof as herein defined; providing for the~~
8 ~~licensing and registration of persons practicing said~~
9 ~~profession, and the certification of engineers in training~~
10 ~~and surveyors in training, and the suspension and revocation~~
11 ~~of said licenses, registrations and certifications for~~
12 ~~violation of this act; prescribing the powers and duties of~~
13 ~~the State Registration Board for Professional Engineers, Land~~
14 ~~Surveyors and Geologists, the Department of State and the~~
15 ~~courts; prescribing penalties; and repealing existing laws,"~~
16 ~~providing for the definition of "geologist in training" and~~
17 ~~for the use of the terms "engineer" and "engineering";~~
18 ~~further providing for general powers of the board and for~~
19 ~~procedure for licensing as professional geologist; and~~
20 ~~providing for continuing professional engineering competency~~
21 ~~and education requirements.~~
22 AMENDING THE ACT OF MAY 23, 1945 (P.L.913, NO.367), ENTITLED, AS <—
23 AMENDED, "AN ACT RELATING TO AND REGULATING THE PRACTICE OF
24 THE PROFESSION OF ENGINEERING, INCLUDING CIVIL ENGINEERING,
25 MECHANICAL ENGINEERING, ELECTRICAL ENGINEERING, MINING
26 ENGINEERING AND CHEMICAL ENGINEERING, THE PROFESSION OF LAND
27 SURVEYING AND THE PROFESSION OF GEOLOGY AND CONSTITUENT PARTS
28 AND COMBINATIONS THEREOF AS HEREIN DEFINED; PROVIDING FOR THE
29 LICENSING AND REGISTRATION OF PERSONS PRACTICING SAID
30 PROFESSION, AND THE CERTIFICATION OF ENGINEERS-IN-TRAINING
31 AND SURVEYORS-IN-TRAINING, AND THE SUSPENSION AND REVOCATION

1 OF SAID LICENSES, REGISTRATIONS AND CERTIFICATIONS FOR
2 VIOLATION OF THIS ACT; PRESCRIBING THE POWERS AND DUTIES OF
3 THE STATE REGISTRATION BOARD FOR PROFESSIONAL ENGINEERS, LAND
4 SURVEYORS AND GEOLOGISTS, THE DEPARTMENT OF STATE AND THE
5 COURTS; PRESCRIBING PENALTIES; AND REPEALING EXISTING LAWS,"
6 FURTHER PROVIDING FOR GENERAL POWERS OF THE STATE
7 REGISTRATION BOARD FOR PROFESSIONAL ENGINEERS, LAND SURVEYORS
8 AND GEOLOGISTS; AND PROVIDING FOR CONTINUING EDUCATION
9 REQUIREMENTS.

10 The General Assembly of the Commonwealth of Pennsylvania
11 hereby enacts as follows:

12 ~~Section 1. Section 2 of the act of May 23, 1945 (P.L.913,~~ <—
13 ~~No.367), known as the Engineer, Land Surveyor and Geologist~~
14 ~~Registration Law, is amended by adding a subsection to read:~~

15 ~~Section 2. Definitions. As used in this act—~~

16 ~~* * *~~

17 ~~(o) "Geologist in training" means a candidate for licensure~~
18 ~~as a professional geologist who has been granted a certificate~~
19 ~~as a geologist in training after successfully passing the~~
20 ~~required written examination in fundamental geology subjects and~~
21 ~~who shall be eligible, upon completion of the requisite years of~~
22 ~~experience in geology under the supervision of a professional or~~
23 ~~similarly qualified geologist, for the final examination~~
24 ~~prescribed for licensure as a professional geologist.~~

25 ~~Section 2. Section 3 of the act, amended December 16, 1992~~
26 ~~(P.L.1151, No.151), is amended to read:~~

27 ~~Section 3. Practice of Engineering, Land Surveying or~~
28 ~~Geology Without Licensure and Registration Prohibited. (a) In~~
29 ~~order to safeguard life, health or property and to promote the~~
30 ~~general welfare, it is unlawful for any person to practice or to~~
31 ~~offer to practice engineering in this Commonwealth, unless he is~~
32 ~~licensed and registered under the laws of this Commonwealth as a~~
33 ~~professional engineer, for any person to practice or to offer to~~
34 ~~practice land surveying, unless he is licensed and registered~~

~~under the laws of this Commonwealth as a professional land
surveyor or for any person to practice or to offer to practice
geology unless he is licensed and registered under the laws of
this Commonwealth as a professional geologist. Individuals
licensed as professional engineers, professional land surveyors
or registered landscape architects may perform geological work
which is incidental to their engineering, surveying or landscape
architecture without being licensed as a professional geologist.~~

~~(b) A person shall be construed to practice or offer to
practice engineering, land surveying or geology who practices
any branch of the profession of engineering, land surveying or
geology; or who, by verbal claim, sign, advertisement,
letterhead, card, or in any other way represents himself to be
an engineer, land surveyor or geologist, or through the use of
some other title implies that he is an engineer, land surveyor
or geologist or that he is registered under this act; or who
holds himself out as able to perform, or who does perform any
engineering, land surveying or geological service or work or any
other service designated by the practitioner or recognized as
engineering, land surveying or geology.~~

~~(c) Notwithstanding subsection (b), the title "engineer" may
only be used by an individual licensed as a professional
engineer unless the individual is one of the following:~~

~~(1) A locomotive engineer.~~

~~(2) An operating engineer.~~

~~(3) A project engineer in the construction industry.~~

~~Section 3. Sections 4(d) and (g) and 4.4(a) of the act,
amended or added December 16, 1992 (P.L.1151, No.151), are
amended and the sections are amended by adding subsections to
read:~~

1 ~~Section 4. General Powers of Board. The board shall have~~
2 ~~power—~~

3 ~~* * *~~

4 ~~(d) Examinations; Fees. To prescribe the subjects, manner,~~
5 ~~time and place of examinations for licenses as professional~~
6 ~~engineers, professional land surveyors and professional~~
7 ~~geologists and for certificates for engineers in training,~~
8 ~~geologists in training and surveyors in training, and the filing~~
9 ~~of applications for such examinations, and to prepare or provide~~
10 ~~for the preparation of such examinations, conduct or provide for~~
11 ~~the conduct of such examinations, to make written reports of~~
12 ~~such examinations, which reports shall be preserved for a period~~
13 ~~of not less than three years, to collect such fees for such~~
14 ~~examinations, and for licenses and certificates issued without~~
15 ~~examination, as may be fixed according to law, and to issue~~
16 ~~licenses and certificates to such persons as successfully pass~~
17 ~~such examinations.~~

18 ~~* * *~~

19 ~~(g) Suspension and Revocation of Licenses; Registrations and~~
20 ~~Certificates; Reinstatements. To suspend or revoke the license~~
21 ~~and registration of any professional engineer, professional land~~
22 ~~surveyor or professional geologist or the certificate of any~~
23 ~~engineer in training, geologist in training or surveyor in~~
24 ~~training, who is found guilty by the board, by a majority vote~~
25 ~~of all its members, of the practice of any fraud, deceit or~~
26 ~~misrepresentation in obtaining his license, certification or~~
27 ~~registration, or of gross negligence, incompetency or misconduct~~
28 ~~in the practice of engineering, in the practice of land~~
29 ~~surveying or in the practice of geology, or of violation of the~~
30 ~~code of ethics of the engineering profession, and to reinstate~~

1 ~~suspended licenses, registrations and certificates in any cases~~
2 ~~where a majority of all the members of the board shall determine~~
3 ~~the same to be just and proper. Unless ordered to do so by a~~
4 ~~court, the board shall not reinstate the license, certificate or~~
5 ~~registration of a person to practice as a professional engineer,~~
6 ~~professional land surveyor, professional geologist or an~~
7 ~~engineer in training, geologist in training or a surveyor in~~
8 ~~training which has been revoked, and such person shall be~~
9 ~~required to apply for a license, certificate or registration~~
10 ~~after a period of five years in accordance with section 2 if he~~
11 ~~desires to practice at any time after such revocation. The board~~
12 ~~shall require a person whose license or registration has been~~
13 ~~suspended or revoked to return the license or registration in~~
14 ~~such manner as the board directs. Failure to do so shall be a~~
15 ~~misdemeanor of the third degree. Misconduct in the practice of~~
16 ~~engineering, land surveying or geology shall include, but not be~~
17 ~~limited to conviction for a criminal offense such as extortion,~~
18 ~~bribery or fraud or entry of a plea of nolo contendere to a~~
19 ~~charge thereof for conduct relating to the practice of~~
20 ~~engineering, land surveying or geology, or has violated any~~
21 ~~provision of this act or any regulation promulgated by the~~
22 ~~board. For the purposes of this subsection, the code of ethics~~
23 ~~is as follows:~~

24 ~~It shall be considered unprofessional and inconsistent with~~
25 ~~honorable and dignified bearing for any professional engineer,~~
26 ~~professional land surveyor or professional geologist:~~

27 ~~(1) To act for his client or employer in professional~~
28 ~~matters otherwise than as a faithful agent or trustee, or to~~
29 ~~accept any remuneration other than his stated recompense for~~
30 ~~services rendered.~~

~~(2) To attempt to injure falsely or maliciously, directly or indirectly, the professional reputation, prospects or business of anyone.~~

~~(3) To attempt to supplant another engineer, land surveyor or geologist after definite steps have been taken toward his employment.~~

~~(4) To compete with another engineer, land surveyor or geologist for employment by the use of unethical practices.~~

~~(5) To review the work of another engineer, land surveyor or geologist for the same client, except with the knowledge of such engineer, land surveyor or geologist, or unless the connection of such engineer, land surveyor or geologist with the work has terminated.~~

~~(6) To attempt to obtain or render technical services or assistance without fair and just compensation commensurate with the services rendered: Provided, however, the donation of such services to a civic, charitable, religious or eleemosynary organization shall not be deemed a violation.~~

~~(7) To advertise in self laudatory language, or in any other manner, derogatory to the dignity of the profession.~~

~~(8) To attempt to practice in any field of engineering, land surveying or geology in which the registrant is not proficient.~~

~~(9) To use or permit the use of his professional seal on work over which he was not in responsible charge.~~

~~(10) To aid or abet any person in the practice of engineering, land surveying or geology not in accordance with the provision of this act or prior laws.~~

~~The board shall appoint, with the approval of the Governor, such hearing examiners as shall be necessary to conduct hearings as may be required under this subsection.~~

1 ~~The board shall have the power to adopt and promulgate rules~~
2 ~~and regulations setting forth the functions, powers, standards~~
3 ~~and duties to be followed by the hearing examiners.~~

4 ~~The hearing examiners shall have the power to conduct~~
5 ~~hearings in accordance with the regulations of the board, and to~~
6 ~~issue subpoenas requiring the attendance and testimony of~~
7 ~~individuals or the production of, pertinent books, records,~~
8 ~~documents and papers by persons whom they believe to have~~
9 ~~information relevant to any matter pending before the examiner.~~

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11 ~~hearings in accordance with the regulations of the board, and to~~
12 ~~issue subpoenas requiring the attendance and testimony of~~
13 ~~individuals or the production of, pertinent books, records,~~
14 ~~documents and papers by persons whom they believe to have~~
15 ~~information relevant to any matter pending before the examiner.~~
16 ~~Such examiner shall also have the power to administer oaths.~~

17 ~~The hearing examiner shall hear evidence submitted and~~
18 ~~arguments of counsel, if any, with reasonable dispatch, and~~
19 ~~shall promptly record his decision, supported by findings of~~
20 ~~fact, and a copy thereof shall immediately be sent to the board~~
21 ~~and to counsel of record, or the parties, if not represented.~~

22 ~~If application for review is made to the board within twenty~~
23 ~~days from the date of any decision made as a result of a hearing~~
24 ~~held by a hearing examiner, the board shall review the evidence,~~
25 ~~and if deemed advisable by the board, hear argument and~~
26 ~~additional evidence. As soon as practicable, the board shall~~
27 ~~make a decision and shall file the same with its finding of the~~
28 ~~facts on which it is based and send a copy thereof to each of~~
29 ~~the parties in dispute.~~

30 ~~* * *~~

~~(n) Member of National Association of State Boards of
Geology; Dues. To become a member of the National Association
of State Boards of Geology, to pay dues as the association shall
establish, to send delegates to the annual meeting of the
association and to defray their expenses.~~

~~Section 4.4. Procedure for Licensing as Professional
Geologist. (a) [The board shall provide for a licensure
examination. All written, oral and practical examinations shall
be prepared and administered by a qualified and approved
professional testing organization in the manner prescribed for
written examinations by the provisions of section 812.1 of the
act of April 9, 1929 (P.L.177, No.175), known as "The
Administrative Code of 1929." However, during the first two
years after the effective date of this act, the board shall
issue licenses without examination to applicants who meet the
requirements of subsection (b)(1), (2), (3) and (5). The board
may further postpone the examination for up to two additional
years if necessary in order to provide for an examination in
accordance with section 812.1 of "The Administrative Code of
1929."] An applicant for licensure as a professional geologist
shall satisfactorily complete the fundamentals of geology
examination and provide the board with satisfactory evidence of
experience that would have prepared the applicant for the
practice of geology.~~

~~* * *~~

~~(c) (1) An applicant for the geologist in training
certificate shall provide satisfactory evidence of graduation
from an approved geology curriculum of four or more years.~~

~~(2) A geology student that has completed two or more years
of an approved program in geology may sit for the fundamentals~~

~~of geology examination if approved by the board but may not be certified until proof of graduation is submitted to the board.~~

~~(d) Upon graduation an applicant that has satisfactorily completed the fundamentals of geology examination shall be certified as a geologist in training and may retain that certification until the applicant becomes licensed as a professional geologist.~~

~~Section 4. The act is amended by adding sections to read:~~

~~Section 4.5. Continuing Professional Competency~~

~~Requirements. (a) In order to help safeguard life, health and property and to promote the public welfare, the practice of professional engineering, professional land surveying and professional geology in this Commonwealth requires continuing professional competency.~~

~~(b) Each in State and out of State licensee shall be required to meet the continuing professional competency requirements of this section as a condition for licensure renewal. Continuing professional competency obtained by a licensee should maintain, improve or expand skills and knowledge obtained prior to initial licensure or develop new and relevant skills and knowledge.~~

~~(c) Each licensee shall be required to obtain twenty four PDH units during the biennial renewal period. If a licensee exceeds the requirement in any renewal period, a maximum of twelve PDH units may be carried forward into the subsequent renewal period. PDH units may be earned as follows:~~

~~(1) Successful completion of college courses relevant to professional practice.~~

~~(2) Successful completion of continuing education courses relevant to professional practice of engineering.~~

~~(3) Successful completion of correspondence, televised, videotaped and other short courses or tutorials relevant to professional practice.~~

~~(4) Presenting or attending qualifying seminars, in house courses, workshops or professional or technical presentations made at meetings, conventions or conferences relevant to professional practice.~~

~~(5) Teaching or instructing in any of the activities listed in clauses (1) through (4).~~

~~(6) Authoring published papers, articles, books or accepted licensing examination items.~~

~~(7) Actively participating in professional or technical societies relevant to professional practice. A licensee shall serve as an officer or actively participate in a committee of the organization in order to receive credit. PDH credits shall not be earned until the end of each year of service completed.~~

~~(8) Obtaining patents.~~

~~(d) (1) Except as provided in clause (2), units of other types of credit shall be converted to PDH units as follows:~~

~~(i) One college or unit semester hour shall equal forty five PDH units.~~

~~(ii) One college or unit quarter hour shall equal thirty PDH units.~~

~~(iii) One continuing education unit shall equal ten PDH units.~~

~~(iv) One hour of professional development in course work, seminars or professional or technical presentations made at meetings, conventions or conferences shall equal one PDH unit.~~

~~(v) Each published paper, article or book shall equal ten PDH units.~~

~~(vi) Active participation in a professional and technical society relevant to the professional practice shall equal, for each organization, two PDH units.~~

~~(vii) Each patent obtained shall equal ten PDH units.~~

~~(2) Teaching any of the activities listed in clause (1)(i) through (iv) shall equal double the amount of PDH units provided for in those subclauses. Teaching credit shall be awarded for teaching a course or seminar for the first time only, but shall not be awarded to full time faculty in the performance of their duties at their employing institutions.~~

~~(c) The board shall have final authority with respect to approval of courses, credit, PDH value for courses and other methods of earning credit. Credit determination for activities listed in subsection (d)(1)(v) and (vii) shall be the responsibility of the licensee.~~

~~(f) The licensee shall be responsible for maintaining records to be used to support credits claimed. Required records shall include all of the following:~~

~~(1) A log showing the type of activity claimed, sponsoring organization, location, duration, instructor's or speaker's name and PDH credits earned.~~

~~(2) Attendance verification records in the form of completion certificates or other documents supporting evidence of attendance.~~

~~(g) A licensee may be exempt from the requirements of this section for any of the following reasons:~~

~~(1) New licensees who are licensed as a result of examination or comity shall be exempt for their first renewal period.~~

~~(2) A licensee serving on temporary active duty in the armed~~

~~forces of the United States for a period of time exceeding one hundred twenty consecutive days in a year shall be exempt from obtaining the professional development hours required during that year.~~

~~(3) Licensees experiencing physical disability, illness or other extenuating circumstances as reviewed and approved by the board may be exempt. Supporting documentation must be furnished to the board.~~

~~(4) Licensees who list their occupation as retired or inactive on the board approved renewal form and who certify that they are no longer receiving any remuneration for providing professional services shall be exempt from the professional development hours requirement. In the event such a person elects to return to active practice, professional development hours must be earned before returning to active practice for each year exempted, not to exceed the biennial renewal requirements.~~

~~(h) A licensee may bring an inactive license to active status by obtaining all delinquent PDH units, except that under no circumstance shall a licensee be required to obtain more than twenty four PDH units to restore an inactive license.~~

~~(i) The continuing professional competency requirements of this section are satisfied when a nonresident certifies to be licensed in and has met the mandatory continuing professional competency requirements of any jurisdiction approved and listed by the board.~~

~~(j) The following words and phrases shall have the meanings given to them in this subsection:~~

~~"Activity" shall mean any qualifying activity with a clear purpose and objective which will maintain, improve or expand the skills and knowledge relevant to a licensee's professional~~

1 ~~practice.~~

2 ~~"College or Unit Semester Hour" or "College or Unit Quarter~~
3 ~~Hour" shall mean credit for courses in ABET approved programs or~~
4 ~~other related college courses.~~

5 ~~"Continuing Education Unit" shall mean a unit of credit~~
6 ~~customarily used for continuing education courses.~~

7 ~~"Course" shall mean any qualifying course with a clear~~
8 ~~purpose and objective which will maintain, improve or expand the~~
9 ~~skills and knowledge relevant to a licensee's professional~~
10 ~~practice.~~

11 ~~"Professional Development Hour" or "PDH" shall mean a contact~~
12 ~~hour of instruction or presentation relevant to professional~~
13 ~~practice.~~

14 ~~Section 5. Section 6 of the act, amended December 16, 1992~~
15 ~~(P.L.1151, No.151), is amended to read:~~

16 ~~Section 6. Practice by Firms and Corporations. The practice~~
17 ~~of engineering, of land surveying and of geology being the~~
18 ~~function of an individual or of individuals working in concerted~~
19 ~~effort, it shall be unlawful for any firm or corporation to~~
20 ~~engage in such practice, or to offer to practice, or to assume~~
21 ~~use or advertise any title or description, including the use of~~
22 ~~the term "engineer" or "engineering" in its firm or corporate~~
23 ~~name, conveying the impression that such firm or corporation is~~
24 ~~engaged in or is offering to practice such profession, unless~~
25 ~~the directing heads and employes of such firm or corporation in~~
26 ~~responsible charge of its activities in the practice of such~~
27 ~~profession are licensed and registered in conformity with the~~
28 ~~requirements of this act, and whose name, seal and signature,~~
29 ~~along with the date of signature, shall be stamped on all plans,~~
30 ~~specifications, plats and reports issued by such firm or~~

1 ~~corporation.~~

2 ~~Section 6. This act shall take effect in 60 days.~~

3 SECTION 1. SECTION 4(L) OF THE ACT OF MAY 23, 1945 (P.L.913, <—
4 NO.367), KNOWN AS THE ENGINEER, LAND SURVEYOR AND GEOLOGIST
5 REGISTRATION LAW, AMENDED DECEMBER 16, 1992 (P.L.1151, NO.151),
6 IS AMENDED TO READ:

7 SECTION 4. GENERAL POWERS OF BOARD.--THE BOARD SHALL HAVE
8 POWER--

9 * * *

10 (L) ADMINISTRATIVE RULES AND REGULATIONS.--TO ADOPT,
11 PROMULGATE AND ENFORCE SUCH ADMINISTRATIVE RULES AND
12 REGULATIONS, NOT INCONSISTENT WITH THIS ACT, AS ARE DEEMED
13 NECESSARY AND PROPER BY THE BOARD TO CARRY INTO EFFECT THE
14 POWERS CONFERRED BY THIS ACT[.], WHICH SHALL INCLUDE
15 ESTABLISHING REQUIREMENTS FOR CONTINUING EDUCATION TO BE
16 FULFILLED BY INDIVIDUALS LICENSED AND REGISTERED UNDER THIS ACT.
17 THE RULES AND REGULATIONS SHALL INCLUDE ANY FEES NECESSARY FOR
18 THE BOARD TO CARRY OUT ITS RESPONSIBILITIES REGARDING
19 ESTABLISHING CONTINUING EDUCATION REQUIREMENTS.

20 * * *

21 SECTION 2. THE ACT IS AMENDED BY ADDING A SECTION TO READ:

22 SECTION 4.5. MANDATORY CONTINUING EDUCATION.--(A) THE BOARD
23 SHALL ADOPT, PROMULGATE AND ENFORCE ADMINISTRATIVE RULES AND
24 REGULATIONS ESTABLISHING REQUIREMENTS OF CONTINUING EDUCATION TO
25 BE FULFILLED BY INDIVIDUALS LICENSED AND REGISTERED UNDER THIS
26 ACT. EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, BEGINNING
27 WITH THE LICENSURE PERIOD DESIGNATED BY REGULATION, INDIVIDUALS
28 LICENSED AND REGISTERED UNDER THIS ACT SHALL BE REQUIRED TO
29 COMPLETE TWENTY-FOUR HOURS OF MANDATORY CONTINUING EDUCATION
30 DURING EACH TWO-YEAR LICENSURE PERIOD AS A CONDITION OF BIENNIAL

1 RENEWAL.

2 (B) AN INDIVIDUAL APPLYING FOR INITIAL LICENSURE AND
3 REGISTRATION SHALL BE EXEMPT FROM THE REQUIREMENT SET FORTH IN
4 SUBSECTION (A) FOR THE LICENSURE PERIOD IMMEDIATELY FOLLOWING
5 INITIAL LICENSURE AND REGISTRATION.

6 (C) THE BOARD MAY WAIVE ALL OR A PORTION OF THE CONTINUING
7 EDUCATION REQUIREMENT ESTABLISHED IN SUBSECTION (A) FOR AN
8 INDIVIDUAL LICENSED AND REGISTERED UNDER THIS ACT WHO SHOWS TO
9 THE SATISFACTION OF THE BOARD THAT THE INDIVIDUAL WAS UNABLE TO
10 COMPLETE THE REQUIREMENTS DUE TO SERIOUS ILLNESS, MILITARY
11 SERVICE OR OTHER DEMONSTRATED HARDSHIP. THE REQUEST SHALL BE
12 MADE IN WRITING, WITH APPROPRIATE DOCUMENTATION, AND SHALL
13 INCLUDE A DESCRIPTION OF CIRCUMSTANCES SUFFICIENT TO SHOW WHY
14 THE INDIVIDUAL IS UNABLE TO COMPLY WITH THE CONTINUING EDUCATION
15 REQUIREMENT SET FORTH IN SUBSECTION (A). REQUESTS FOR WAIVER OF
16 THE CONTINUING EDUCATION REQUIREMENT SHALL BE EVALUATED BY THE
17 BOARD ON A CASE-BY-CASE BASIS. THE BOARD SHALL SEND THE
18 INDIVIDUAL WRITTEN NOTIFICATION OF ITS APPROVAL OR DENIAL OF THE
19 REQUEST FOR WAIVER.

20 (D) AN INDIVIDUAL SEEKING TO REINSTATE AN INACTIVE OR LAPSED
21 LICENSE AND REGISTRATION SHALL SHOW PROOF OF COMPLIANCE WITH THE
22 CONTINUING EDUCATION REQUIREMENT FOR THE PRECEDING BIENNIAL
23 RENEWAL PERIOD.

24 (E) ALL COURSES, LOCATIONS, INSTRUCTORS AND PROVIDERS OF
25 MANDATORY CONTINUING EDUCATION SHALL BE APPROVED BY THE BOARD.
26 HOWEVER, NO CREDIT SHALL BE GIVEN FOR A COURSE IN PRACTICE
27 BUILDING OR OFFICE MANAGEMENT.

28 (F) THE BOARD SHALL PROMULGATE REGULATIONS TO CARRY OUT THE
29 PROVISIONS OF THIS SECTION WITHIN EIGHTEEN MONTHS OF THE
30 EFFECTIVE DATE OF THIS SECTION.

1 SECTION 3. THIS ACT SHALL TAKE EFFECT IN 60 DAYS.