

Draft PDH Regulations in Massachusetts ---6-24-09

TECET Education Task Force: Representatives of ACEC/MA, BSCES, MALSCCE, MSPE

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The TECET (formerly TEC) Education Task Force is proposing the following draft regulations for continuing education as part of license renewal for licensed Professional Engineers and Professional Land Surveyors in Massachusetts. These professionals are licensed by the Commonwealth of Massachusetts' Board of Registration of Professional Engineers and Land Surveyors.

Task Force Members include representatives of the following societies:

- American Council of Engineering Companies of Massachusetts (ACEC/MA)
- Boston Society of Civil Engineers Section/ASCE (BSCES)
- Massachusetts Association of Land Surveyors and Civil Engineers (MALSCCE)
- Massachusetts Society of Professional Engineers (MSPE)

Task Force Members and their main affiliations are:

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The TECET Education Task Force was created in response to Chapter 439 of the Acts of 2008, Section 4, which states:

SECTION 4. Said section 45 of said chapter 13, as so appearing, is hereby further amended by adding the following paragraph:-

The board may: (i) establish the requirements for registration of professional engineers and professional land surveyors; (ii) establish standards of professional and ethical conduct for professional engineers and professional land surveyors; (iii) authorize and conduct appropriate examinations to determine the qualifications of applicants; (iv) grant certificates of registrations to qualified applicants; (v) establish standards for continuing education; and (vi) set and administer penalties as provided in sections 61 to 65E, inclusive, and section 81P of chapter 112 for fraudulent, deceptive or professionally-incompetent and unsafe practices and for violations of rules and regulations promulgated by the board.

In response to this law, the TECET Education Task Force is proposing the following Draft Continuing Education Policy for endorsement by certain engineering and land surveying associations in Massachusetts. The Draft Continuing Education Policy will then be submitted to the Board of Registration of Professional Engineers and Land Surveyors for their review and potential inclusion in Board's proposed revisions to 250 CMR.

Draft Continuing Education Policy (from TECET Education Task Force)

1. Each licensee shall obtain at least 30 professional development hours (PDH) of continuing professional development during the biennial renewal period, as a condition of licensure renewal. If the licensee exceeds the requirement in any renewal period, a maximum of 15 PDH units may be carried forward into the next renewal period.
2. Each PDH shall be relevant to the practice of engineering or land surveying, depending on the license. Such continuing education activities may include technical, ethical or managerial material.

PDHs shall be credited as follows:

- a. 45 PDH units shall be credited for successful completion of one college or unit semester hour. 30 PDH units will be credited for successful completion of one college or unit quarter hour. 10 PDH units will be credited for successful completion of one continuing education unit. Credit for college or community college which shall be based upon course credit established by the college.
- b. One PDH shall be credited for one hour of professional development in course work, seminars, or professional technical presentations made at meetings, conventions or conferences for each hour of attendance.
- c. Teaching and instructing at qualifying courses, seminars or making technical presentations at meeting, conventions or conferences, shall earn hour credit at twice that of participants. Teaching credit shall be valid for teaching a course or seminar for the first time only. Teaching credit shall not apply to full-time faculty performing regular duties.
- d. Each published paper, book or article in the licensee's area of professional practice shall earn 10 PDH units.
- e. Active participation in professional and technical societies will earn 1 PDH unit annually, provided that a licensee serves as a committee member who actively participates within the organization or committee. 2 PDH units will be earned, if a licensee serves as an officer within the organization or committee. PDH units shall not be earned until each year of service is completed and shall be limited to 2 PDH units per organization. A maximum of PDH earned by active participation in professional and technical societies shall be limited to 6 PDH units per renewal period.
- f. Filing a patent application shall earn 10 PDH units.
- g. PLS Licensee must complete 6 PDH units in minimal technical standards that are directly related to the practice of land surveying (that is, standards which are technical, procedural, and/or regulatory in nature) and 6 PDH units in ethics as applied to the practice of land surveying every two renewal periods.

- h. Licensee can only earn credit for particular course content once each six years (exceptions are minimal technical standards and ethics).
3. Record Keeping:

The licensee shall be responsible for maintaining records to be used to support PDH units claimed. Records required include, but not limited to:

 - a. A log showing the type of activity claimed, sponsoring organization, location, duration, instructor or speaker's name and PDH earned;
 - b. Attendance verification records in the form of completion certificates or other documents supporting evidence of attendance.
 - c. Records must be maintained for a period of seven years. Such documentation shall be made available to the board for random and/or verification purposes.
 4. Licensees who are residents of jurisdictions other than Massachusetts shall meet the continuing professional development requirements of the Commonwealth of Massachusetts.
 5. A licensee may be exempt from the professional development educational requirements for one of the following reasons:
 - a. New licensees by way of examination or comity shall be exempt for their first renewal period.
 - b. A licensee serving on temporary active duty in the armed forces of the United States for a period of time exceeding 120 consecutive days in a year shall be exempt from obtaining PDH units required during that year.
 - c. Licensees experiencing physical disability, illness, or other extenuating circumstances may apply for an exemption or an extension of time to obtain the credits, subject to review and approval of the Board. Supporting documentation must be furnished to the Board.
 6. A licensee may bring an inactive license to active status by obtaining all delinquent PDH units. However, if the total number required to become current exceeds 30, then 30 shall be the maximum number required.
 7. The number of PDH units required shall remain the same for persons who hold a second registration as engineer or land surveyor. Holders of a second registration must obtain a minimum of one-third of the PDH requirements in each field. The remaining one-third requirement may be obtained in either field at the sole discretion of the licensee.
 8. If a record of obtaining at least 30 PDH units is not received by August 1 of an odd-numbered year, the registration lapses until the record of obtaining all delinquent PDH units is received. If not received for more than two years, the registration automatically lapses.

DEFINITIONS

1. “*Continuing education*” means education obtained by a licensee in order to maintain, improve, or expand skills and knowledge obtained prior to initial licensure or to develop new and relevant skills and knowledge.
2. “*Professional development hours*” (*PDH*) means a contact hour of not less than 50 minutes of instruction or presentation which meets the requirements of these regulations.
3. “*Continuing education unit*” (*CEU*) means the unit of credit customarily granted for continuing education courses. One continuing education unit is given for ten hours of class in an approved continuing education course.
4. “*College/Unit Semester/Quarter Hour*” means credit for an Accreditation Board for Engineering and Technology approved course or other related college course.
5. “*Course or activity*” means any qualifying course or activity with a clear purpose and objective which will maintain, improve, or expand the skills and knowledge relevant to the licensee’s field of practice.
6. “*Dual licensee*” means a person who is licensed in two or more technical professions.
7. *Education for “Ethics”* for the purpose of educational content satisfying requirements of this regulation, is defined as the following:
 - a formal course or seminar in which applicable national/state/professional ethical laws are reviewed and discussed
 - a session at a professional convention in which engineering ethics are debated with active participation and /or role playing
 - lectures embedded in formal technical/project management courses in which engineering ethics are discussed and debated in the context of overall technical/project management themes.

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