

The California Board for Professional Engineers, Land Surveyors, and Geologists (BPELSG) issues licenses to individuals and not to companies, agencies, or groups. Therefore, BPELSG believes it is important for those individual licensees to be fully informed about proposed changes to those statutes and regulations that mandate how the licensee provides or performs professional services to or for the consumers of California. And by being informed, a licensee can then justifiably determine an individual decision from an educated point of view.

Frequently asked questions pertaining to Senate Bill 1085 (Roth):

Why does BPELSG believe this legislation is necessary? During research in preparation for the most recent Sunset analysis, BPELSG identified what it believes are a history of an unnecessarily high number of violations of the Professional Engineers Act, Professional Land Surveyors' Act, Geologist and Geophysicist Act, and the regulations associated with those acts. BPELSG becomes aware of these violations during investigation of complaints submitted to BPELSG which were generally associated with the non-technical aspects of these laws (i.e., written contracts, rules of professional conduct, signing and sealing documents, consumer and board notifications, etc.). Even though it is already incumbent upon each licensed professional to develop and maintain a practical understanding of the laws that guide how services are performed or provided to the public, BPELSG believes that by implementing a mandatory assessment of these laws, particularly periodic changes, all licensees will become much more educated and aware of these requirements which should ultimately lead to a decrease in violations which benefit the licensee as well as the public.

Aren't licensees already required to complete an examination on laws and regulations?

Currently, all licensees are required to pass a written examination on the laws and regulations upon initially applying for licensure, whether that is included in the state developed examinations or available in a separate form. This examination is commonly referred to as the Take Home examination which is currently downloaded from the BPELSG web site, completed and commonly returned to BPELSG when submitting the application package. These examinations include approximately 25 multiple choice questions related to the applicable laws and regulations and are currently being converted to an online format to make it easier for applicants to submit the completed examination in an electronic format.

How will this "mandatory assessment" be different? This proposed mandatory assessment will be different in two primary ways. First, and unlike the examination completed at the time of application, licensees will be able to access the online assessment of the laws and regulations from the convenience of their home or office through an online link found on the BPELSG web site and will be delivered in a format similar to current online-accessible training such as employee-mandated ethics or harassment training. Second, there will not be a Pass or Fail

component to this assessment. The only requirement will be for each licensee to complete the assessment once every two years.

What will this cost? There will be no fee to the licensee and no additional cost for BPELSG to develop since the content is already developed on a regular basis.

What stops BPELSG from changing this to a Pass/Fail examination that requires a fee? The current proposed language only requires the licensee to complete the mandatory assessment, not to pass it. Changing the scope of this mandatory assessment would require legislative revision which would require substantial justification and passage through the normal legislative process. BPELSG would be required to proceed through the normal rulemaking process to invoke a fee since all fee changes require regulation revision.

Why is BPELSG proposing to require this at the time of renewal? BPELSG chose the biannual renewal date as the date to complete this mandatory assessment simply because that date is commonly known to both BPELSG and the licensee which should alleviate any confusion as to when the assessment is required to be completed.

Will this prevent me from renewing my license? **No.** BPELSG is not attempting to implement any requirement that would prevent a licensee from voluntarily maintaining their license(s) in good standing. BPELSG's intentions are to develop a licensee population that is more aware of the laws and regulations that govern how they provide services to the consumers in California. Complaints and disciplinary actions are not beneficial for licensees or consumers. Lowering the number of unnecessary violations is beneficial to everyone.

What if a licensee fails or refuses to complete the mandatory assessment? It is anticipated that each licensee will have adequate time to complete the online mandatory laws and regulations assessment within a reasonable timeframe leading up to the regularly scheduled renewal date. If a licensee fails to complete the mandatory laws and regulations assessment within 60 days after the date of renewal, BPELSG will notify the licensee with a reminder. If, after that reminder, a licensee continually fails or refuses to complete the mandatory assessment, a disciplinary investigation will be initiated for that licensee.

How will the licensee be reminded to complete this mandatory assessment? BPELSG will be including notifications in with the regular renewal notice and regularly posting reminders on the web site, in BPELSG-related publications, and in social media. As a reminder, it is mandatory for each licensee to notify BPELSG within 30 days after a change of the licensee's address of record.