

Department of Legislative Services  
Maryland General Assembly  
2012 Session

FISCAL AND POLICY NOTE

Senate Bill 109

(Chair, Education, Health, and Environmental Affairs  
Committee)(By Request - Departmental - Labor,  
Licensing and Regulation)

Education, Health, and Environmental Affairs

Economic Matters

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State Board of Architects - Continuing Professional Competency

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This departmental bill repeals the statutory *continuing education* requirements related to license renewal for architects. Instead, it requires the State Board of Architects to adopt regulations to require a licensee to demonstrate *continuing professional competency* by completing at least 24 hours of professional development activities as a condition of license renewal.

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Fiscal Summary

**State Effect:** None. The Department of Labor, Licensing, and Regulation (DLLR) can handle the bill's requirements with existing budgeted resources.

**Local Effect:** None.

**Small Business Effect:** DLLR has determined that this bill has minimal or no impact on small business (attached). Legislative Services concurs with this assessment.

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Analysis

**Current Law/Background:** Maryland first established a continuing education requirement for architects in 2003, which was later modified in 2005. A licensed architect seeking renewal or reinstatement of a license must complete 24 hours of continuing education during the course of each biennial licensing period. Of those hours, 16 must relate to the health, safety, and welfare of the general public. A licensee must maintain evidence of compliance with the continuing education requirement for two years after each renewal period.

Both the National Council of Architectural Registration Boards (NCARB) and the American Institute of Architects (AIA) offer courses. State statute specifies that courses approved by either of these entities must also be accepted by the board. Although statute indicates that other courses may be used to satisfy the requirement if preapproved by the board, the board indicates that, in practice, this is a rarity, as most architects take NCARB- or AIA-approved courses.

The board may conduct random audits to verify compliance, and the board has recently made this a priority. In a program that began in January 2010, approximately 5% to 10% of individuals who renew online are randomly selected for a continuing education audit. Once an individual is selected for audit, he or she has 30 days to provide proof of compliance to the board. If the individual does not provide proof, he or she is subject to actions by the board including fines, suspension, and license revocation.

DLLR advises that the board intends to implement the June 2011 model changes recommended by NCARB, which provide for 12 hours annually of continuing education relating to public health, safety, and welfare. The model changes are an attempt to standardize the continuing education system for architects across the 54 U.S. member boards. As of June 2011, 46 jurisdictions have continuing education standards for architects; the requirements vary by jurisdiction.

**Additional Comments:** In the last two years, the General Assembly has required other licensing boards and commissions to establish by regulation continuing professional competency requirements for home inspectors and professional engineers, and continuing education requirements for master electricians.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Department of Labor, Licensing, and Regulation; National Council of Architectural Registration Boards; Department of Legislative Services

**Fiscal Note History:** First Reader - January 23, 2012  
ncs/mcr

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## ANALYSIS OF ECONOMIC IMPACT ON SMALL BUSINESSES

TITLE OF BILL: State Board of Architects – Continuing Professional Competency

BILL NUMBER: SB 109

PREPARED BY: Department of Labor, Licensing and Regulation

### PART A. ECONOMIC IMPACT RATING

This agency estimates that the proposed bill:

  X   WILL HAVE MINIMAL OR NO ECONOMIC IMPACT ON MARYLAND  
SMALL BUSINESS

OR

       WILL HAVE MEANINGFUL ECONOMIC IMPACT ON MARYLAND  
SMALL BUSINESSES

### PART B. ECONOMIC IMPACT ANALYSIS

The proposed legislation will have no impact on small business in Maryland.