

# Continuing Education (CE) Regulation Concepts

aka

Continuing Education Consistency: What should be added to  
regulation and what can remain as guidance?

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# Overview

- Reasons for Changes
- Current Regulations
- Process (Pre-Notice Public Involvement)
- Proposed Changes to Regulations
- Next Steps – Recommendation to the Director and Rulemaking

# Reasons for Changes

- Clarity/Consistency for sponsors on criteria DPR will use in reviewing and approving CE courses
- “level playing field” for CE courses
- Optimize CE course quality
- CE guidance document (the CE Sponsor Manual) was viewed as underground regulation
- Enforceable
- Remember: **CE is in lieu of re-examination** and thus high-quality courses are important
- Downside: Less Flexibility

# Current Regulations

## CCR, Title 3

- Section 6512 – “The Director may approve any course or program which meets...” the criteria listed
- Section 6512– “The instruction shall relate only to pest management and pesticides...”
- Section 6511 – Laws and regulations hours must “pertain to pesticide laws and regulations”

# DPR CE Regulations Process

- Determine a need
- Develop Regulation Concepts (APCAC advises DPR)
- Informal meetings with the public and stakeholders
- **Informal Pre-Notice Public Involvement (these meetings):  
Comments and suggestions incorporated, as appropriate.**
- Draft Regulation Language
- DPR Director Approval
- Rulemaking
  - File with OAL
  - Formal Hearing (usually)
  - DPR hopes to have rulemaking (the regulations) in place no later than **November 2013**

# Proposed Changes to Regulations

- Proposed Changes
  - 27 items from the CE Sponsor Manual were considered
    - 19 were considered as possible regulations
    - Some items already discussed and approved by APCAC to be recommended to Director for inclusion in regulations
- The rest remain in the CE Sponsor Manual as guidance only

## Verification Forms

- Records of course attendance (**verification forms**) shall be supplied by the course sponsor to the license and/or certificate holder upon completion of the course.
- Course sponsor to add number of hours in each CE category accredited (laws, other, aerial), date of course, and sponsor signature to the records of course attendance (**verification forms**) maintained by sponsor and license and or certificate holders.

Why? – Licensees are not always obtaining and keeping records of CE completed. This requirement will be important for eventual online license renewal.

Note: verification forms can be in any format (e.g receipt, certificate, scantron, printout, etc.) as long as they have the required info.

## CE Application Form

- Course sponsors shall add speaker affiliation, session title, and “main points” (for the course) to the CE course agenda submitted for DPR approval.

Why? “Main points” provide a clear focus for what the course is about for licensee, speeds the approval process at DPR, and allows for creative titles for sessions.

## Business and Professions Code

- Structural Pest Control Board (SPCB) Business and Professions (B & P) code and related regulations shall not be accredited CE hours.
  - NOT Food and Ag code

Why? - These receive continuing education credit under the SPCB licensing program. No structural applications with DPR license.

## Managing Pests without Pesticides?

- Laws and regulations focused on managing pests under the jurisdiction of California agencies other than DPR (excluding pesticide focused laws and regulations) shall be accredited “Other” CE hours.
  - Examples: shooting, trapping, quarantine.

Why? Current CA regulations state licensees must get their hours in pesticide laws & regulations.

## Laws and Regulations from other States or Countries

- Topics focused on pesticide laws and regulations from other states or other countries shall not be accredited CE hours. USA Federal pesticide laws (FIFRA) will be accredited laws & regs hours. The exception is maximum residue levels (MRLs) which shall receive 'Other' hours.

Why? DPR receives CE applications for other state's specific pesticide laws and regulations (e.g. Oregon, Nevada, Arizona) which do not apply to CA. MRLs can have an effect on pest management decisions and qualify for 'other' hours.

## Fees

- A separate application and fee are required for each day of a multiple day course (different ID code for each day), when license and/or certificate holders can attend different days (separate attendee registration for each day).

Why? This needs to be in regulation because of past challenges to DPR application and fees and the problem with tracking hours of licensees that attend less than all days.

## Concurrent Sessions

- All concurrent sessions (sessions occurring at the same time) shall be for the same amount and type of CE hours (ie, 'laws' hours) in order to be accredited for those hours.

For example . . .

## Concurrent Sessions

8:30 – 9:30	9:30 – 10:30	10:30 – 11:30
Mice Management – 1 hr <b>Other</b>	Labels - 1 hr <b>L&amp;R</b>	CA Pesticide Laws - 1 hr <b>L&amp;R</b>
Pesticides in Groundwater – 1 hr <b>L&amp;R</b>	PPE – 1 hr <b>L&amp;R</b>	Aerial Applications - 1 hr <b>Aerial</b>
Trapping Gophers – 1 hr <b>Other</b>	Pesticides emergency response - 1 hr <b>L&amp;R</b>	Selecting plants that will bloom all year – <b>No credit</b>



1 hour “Other”



1 hour “L&R”



No Credit

- **Course would be approved for 1 hour in “Laws & Regulations” and 1 hour “Other”**

## Online and Correspondence Courses

- For **online** CE courses, a complete version of the course shall be submitted with the CE application.
  - e-submittal required for interactive course
  - e-submittal or hard copy ok for correspondence course
- For **correspondence** CE courses, a complete version of the course shall be submitted with the CE application.
  - e-submittal or hardcopy ok

Why? DPR needs to be able to review the course to assign the appropriate CE hours.

## Word Count and Exams

- Word count to evaluate the length (hours accredited) for correspondence-style (online or mailed) shall be 200 wpm. Exams and quizzes shall not be counted toward the course word count total.
- Exams and quizzes for online or correspondence courses shall be assessed at 1 minute per question with a maximum of 20 questions per hour.

Why? DPR needs to be able to assign the appropriate CE hours.

## Exams – Online and Correspondence Courses

- Sponsors of online and correspondence CE courses shall provide license and/or certificate holders with an exam at the end of the CE course.
- A license and/or certificate holder shall be required to pass an exam with a minimum score of 70% to receive credit for online and correspondence CE courses.
- For all online and correspondence CE courses, if a license and/or certificate holder fails an exam (<70%), the sponsor shall provide a new version of the exam after each failure.

Why? Ensures that attendee reads/participates in online correspondence course.

## Online and Correspondence Courses

- Online and correspondence courses longer than 2 hours shall be divided into distinct topics or segments of no more than 2 hours each, and each topic/segment shall end with a quiz or exam.
- Why? Ensures that content will be reviewed and learned

## Narrated and Interactive Online CE Courses

- For narrated and interactive style online CE courses, the sponsor shall not allow the license and/or certificate holder to bypass portions of the course.
  - Narrated = includes video or recorded audio. No interaction.
  - Interactive = response required from participant to move forward in the course.

Why? Course takers may be able to bypass entire course and go straight to exam.

- Not approved by APCAC to be recommended to Director to include in regulations.

## The 50% Online Rule

- No more than 50% of a license or certificate holder's required CE hours shall be accredited through non-classroom courses during each 2-year renewal period.

Why? Better ensures that licensees can learn different topics, see different speakers, ask questions.

– Not approved by APCAC to be recommended to Director to include in regulations.

## Really Easy

- Exam questions must be related to content of the course.

Why? Some past exam questions and/or answers have not matched the course content.

## Next Steps

- Recommendation to the Director
- Rulemaking
  - Statement of reasons
  - Economic analysis (local government and business effects)
  - Notice by Office of Administrative Law
  - Public Comment Period (45 days)
  - Hearing
  - Response to Comments
  - 1 Year to Become Effective

# Tentative Timetable

- **August 2012** – Pre-Notice public involvement.
- **September 4th** – APCAC meeting to review draft regulation language and submit a recommendation to the Director.
- **September 2012** – DPR sends draft language (APCAC recommendation/DPR staff recommendation) to the Director incorporating informal public input.
- **September/October 2012** – DPR Approval Process
- **November 2012** – Regulatory package notice at Office of Administrative Law (OAL)
- **Public comment** period starts
- **Regulations in place no later than November 2013**

# Questions?



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