

New York State Council of Professional Geologists Continuing Education - Frequently Asked Questions (April 30, 2021)

A 19-year effort to include geology among the licensed professions came to an end when Governor Andrew Cuomo signed Chapter 475 of the Laws of 2014 into law on November 21, 2014. The law, which had a 2-year effective date, became effective on November 21, 2016. Following enactment of the licensing law, NYSCPG introduced additional legislation to convert geologists' business corporations and limited liability companies into professional corporations (P.C.) and professional limited liability companies (PLLC). This included the requirement for Professional Geologists to form or be added as a corporate officer of these professional entities.

NYSCPG then turned its attention to continuing education. Our efforts were complicated by the New York State Education Department's (NYSED) request that our legislation be tied to NYSED's efforts to modernize existing continuing education requirements for professional engineers and land surveyors. It was not until March 2020 that this combined bill was introduced in the New York State Legislature. It became law on November 11, 2020 as Chapter 260 of the Laws of 2020 and the new continuing education requirements become effective on January 1, 2022.

On April 1, 2021, NYSCPG, with the technical help of Alpha Analytical, hosted a webinar summarizing the new continuing education law. This webinar was immediately followed by numerous question and answers. The Frequently Asked Questions (FAQs) below summarize the questions and responses asked following the webinar. If something remains unclear regarding this subject matter, please contact us at nyscouncilpg@gmail.com.

1. What is the intent of the new Continuing Education Law?

A: The intent of this Law is to incorporate the continuing education requirements for Professional Geologists into an existing Law that includes the continuing education requirements for Professional Engineers and Licensed Land Surveyors. The new Law repeals Section 7212 of the Education Law and it combines the requirements for Professional Engineers, Licensed Land Surveyors, and Professional Geologists into one Law – NYS Education Law EDN Section 7211.



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2. What is meant by the phrase “licensed professional” that is used throughout the continuing education law?

A: The Law defines a licensed professional as, “...any individual licensed under this article as a professional engineer, land surveyor, or geologist.”

3. How many continuing education hours will I be required to obtain?

A: During each triennial registration period, an applicant for registration as a Professional Geologist shall complete a minimum of 36 hours of acceptable continuing education.

4. Do I have to earn 12 CEUs per year, or can I earn more in some years and less in others?

A: Continuing education credit will be prorated over the triennial registration period, regardless of whether you complete it over the 3-year duration or all at once.

5. When do I need to start completing continuing education coursework for my New York State P.G. license?

A: Newly licensed professionals do not need to obtain continuing education during their initial triennial registration period. For those who currently hold P.G. licenses, the new Law states the following:

“Any professional geologist whose first registration date following the effective date of the chapter of the laws of two thousand twenty which amended this section occurs less than three years from such effective date, but on or after January first, two thousand twenty-three, shall complete continuing education hours on a prorated basis at the rate of one hour per month for the period beginning January first, two thousand twenty-two up to the first registration date thereafter.”

Please consider the examples below to clarify these requirements:



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Example #1: If your next renewal is due in June 2023, you will need continuing education credits for each month from January 2022 through June 2023, or 18 credits; i.e., 12 credits for 2022 and 6 credits for 2023.

Example #2: If your next renewal is due in December 2022, you will not need continuing education credits at the time of your 2022 renewal, and you'll need 36 credits when you next renew in 2025. REMINDER: The requirements don't begin until registrations that come due on/after January 1, 2023.

Example #3: If your next renewal is due in February 2023, you will need continuing education credits for each month from January 2022 through February 2023, or 14 credits; i.e., 12 credits for 2022 and 2 credits for 2023.

Example #4: If your next renewal is due in August 2024, you will need continuing education credits for each month from January 2022 through August 2024, or 32 credits; i.e., 12 credits for 2022, 12 credits for 2023, and 8 credits for 2024.

6. Will there be a continuing education cost to members?

A. There will be a mandatory \$45 Continuing Education fee (in addition to triennial registration fees) payable on or before the first day of each triennial registration period. Additional fees may be charged by professional organizations that host continuing education coursework.

7. Will I be allowed to transfer continuing education credit from one registration period to the next registration period if I exceed the number of credits needed for the previous registration period?

A: The Law allows for up to six (6) credit hours to be transferred from one triennial registration period to the next.



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8. Will continuing education credit that I earn in other states count toward my registration as a P.G. in New York State?

A: This is a subject that is under consideration in the regulations that must be adopted in connection with this Law. It is anticipated that consideration will be given to this issue, but it is unclear as to what conditions may apply. Will it be necessary, for example, to demonstrate that the continuing education laws in the other state be comparable to New York? NYSCPG will clarify out-of-state continuing education credit after consultation with NYSED and after finalization of the regulations.

9. Can I complete continuing education coursework that is not precisely related to my day-to-day duties as a Professional Geologist?

A: This subject, too, will be covered in more detail in the pending regulations. There appears to be a consensus among members of the State Board of Engineering, Land Surveying, and Geology (the State Board) to allow the three (3) professions (professional engineering, land surveying, and geology) to take each other's courses, but it is uncertain as to how much latitude will be given. It may be possible for a Professional Geologist to take all courses offered

within the ambit of the definition of geology. For example, it will be permissible for a Professional Geologist who specializes in hydrogeology to take a course that relates to petroleum geology. It is also likely that business-related courses will not be allowed. This is another subject that NYSCPG will clarify after consultation with NYSED and after the regulations are finalized.

10. Do I need to complete continuing education coursework if I am a full-time New York State or other regional or local governmental employee?

A: No, under the Law, you are considered to have satisfied the continuing education requirements as long as you are a state or local government employee as of January 1, 2022 and remain as a full-time employee of said employer. If a state, regional or local governmental employee performs professional geologic services outside of their government employment



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NYSCPG believes the individual would be required to comply with the existing continuing education requirements. Each individual case should be confirmed with the NYSED.

11. How do I document and keep track of my continuing education credit or does someone else do that on my behalf?

A: The Law provides that “Licensed professionals shall maintain adequate documentation of completion of acceptable continuing education and educational activities and shall provide such documentation at the request of the department.” The “educational activities” will consist of such matters as teaching a continuing education course, authoring an article that appears in a peer-reviewed periodical, and engaging in volunteer fieldwork or other activities of educational value.

12. What are the next steps the NYSCPG is taking now that the continuing education bill has become Law?

A: The NYSCPG is working with the NYSED and the State Board to adopt regulations that effectuate the provisions of the new Law. Among other things, these regulations will establish standards for the conduct of remote learning activities and regulate the expansion of sources that will be authorized to provide continuing education credits. We will update these FAQs as we ascertain or are provided more information.

The NYSCPG has also begun the process of becoming a sponsoring agency that is registered through the NYSED. Becoming a sponsoring agency will allow the NYSCPG to review and provide accreditation for continuing education coursework. This process is being undertaken by NYSCPG’s Continuing Education Committee with support from the Legislative Committee.

13. What will it take to become a sponsoring agency?

A. It will be necessary to pay a \$900 fee and file an application with the State Board that explains, among other things, the procedures that NYSCPG will take



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to assure that courses have sufficient content to qualify for continuing education credits; that instructors are qualified to present the courses; and that safeguards are in place to determine that students actually attend the courses. The regulations will also detail recordkeeping and other technical requirements that the sponsoring agency must follow.

14. Where can I find additional information?

A: Additional information and FAQs regarding continuing education requirements for licensed professionals may be found on the NYSED Office of Professions website at <http://www.op.nysed.gov/prof/pels/peceques.htm#>. These FAQs will be periodically updated on NYSCPG's website at <https://nyscpge.wildapricot.org/>. If you still have questions, please email the NYSCPG at nyscouncilpg@gmail.com and stay tuned to these FAQs as we'll update them with clarifications from NYSED if needed.

