

# Chapter 196-34 WAC

## CONTINUING EDUCATION OF LICENSED PROFESSIONAL ON-SITE WASTEWATER TREATMENT SYSTEM DESIGNERS

### WAC

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**WAC 196-34-100 Purpose and effective date.** The purpose of the professional development hours requirement is to encourage licensed on-site wastewater treatment system designers (designers), under chapter 18.210 RCW, to maintain competency in their practice. All designers must meet these requirements as a condition of continued licensure under chapter 18.210 RCW.

[Statutory Authority: Chapters 18.43 and 18.210 RCW. WSR 12-09-008, § 196-34-100, filed 4/5/12, effective 5/6/12. Statutory Authority: RCW 18.43.035 and chapter 18.210 RCW. WSR 06-11-118, § 196-34-100, filed 5/19/06, effective 7/1/06.]

**WAC 196-34-105 Definitions.** Terms used in this chapter are defined as follows:

(1) Professional development hour (PDH) - An hour engaged in a qualifying activity.

(2) College/unit semester/quarter hour - Completion of courses in college level curriculums satisfactory to the board.

(3) Qualifying activity - Any activity that is related to on-site wastewater treatment systems or will help the designer to maintain their competency as an on-site wastewater treatment system professional.

(4) Board - The board of registration for professional engineers and land surveyors.

[Statutory Authority: Chapters 18.43 and 18.210 RCW. WSR 12-09-008, § 196-34-105, filed 4/5/12, effective 5/6/12. Statutory Authority: RCW 18.43.035 and chapter 18.210 RCW. WSR 06-11-118, § 196-34-105, filed 5/19/06, effective 7/1/06.]

**WAC 196-34-110 Requirements.** All designers wishing to maintain active practice must accumulate thirty PDH for any given two-year period. The PDH accumulated by designers are subject to audit by the board.

[Statutory Authority: Chapters 18.43 and 18.210 RCW. WSR 12-09-008, § 196-34-110, filed 4/5/12, effective 5/6/12. Statutory Authority: RCW 18.43.035 and chapter 18.210 RCW. WSR 06-11-118, § 196-34-110, filed 5/19/06, effective 7/1/06.]

**WAC 196-34-115 Qualifying activities.** The board believes that designers under provisions of chapter 18.210

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RCW should have the discretion to make independent choices on what activities help them to be improved practitioners. The board will not provide advance approvals for selected activities or vendors. The board expects designers to seek out qualifying activities that can be demonstrated to the board as relevant to his or her professional development as a designer.

[Statutory Authority: Chapters 18.43 and 18.210 RCW. WSR 12-09-008, § 196-34-115, filed 4/5/12, effective 5/6/12. Statutory Authority: RCW 18.43.035 and chapter 18.210 RCW. WSR 06-11-118, § 196-34-115, filed 5/19/06, effective 7/1/06.]

**WAC 196-34-120 Units.** Qualifying activities earned and applied to one of the following categories may not be applied to another category.

- College hours:
  - Completion of 1 college semester hour 45 PDH
  - Completion of 1 college quarter hour 30 PDH
- For publication or presentation of each:
  - Authored technical paper or article 10 PDH
  - Authored book 30 PDH
- Obtaining a patent 10 PDH
- Membership in professional/technical societies or government committees or boards. (Not to exceed a total of 5 PDH/year) 2 1/2 PDH
- For each hour of attendance in a professional or technical society meetings with an informational program. (Not to exceed a total of 5 PDH/year) 1 PDH
- For each hour of attendance at meetings or hearings of the board. (Not to exceed a total of 7 1/2 PDH/year) 1 PDH
- For each hour of preparation and subsequent presentation (\*) of a professional development program at seminars, professional/technical meetings, conventions or conferences. (Not to exceed 10 PDH/year) (\*) *This credit does not apply to full-time faculty.* 1 PDH
- Completion of the continuing education requirements for maintaining a credential as a registered sanitarian. 10 PDH
- For each hour of participation in committees of organizations whose purpose is to develop codes, standards, examinations and regulations. 1 PDH

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10. For each hour of participation in an activity involving substantial and organized peer interaction, excluding time spent during regular employment. (Not to exceed a total of 5 PDH/year) 1 PDH
11. For each hour of participation in organized courses, including employer provided courses, on environmental health topics/first aid/safety, technical or management skills. 1 PDH
12. For each hour of participation in sessions or courses, sponsored by technical or professional societies, organizations or the board. 1 PDH
13. For each hour of self-study. (Not to exceed a total of 5 PDH/year) 1 PDH
14. For each hour of work, outside normal duties of employment that involves participation in other recognized professional activities. (i.e. a designer working with a land surveyor) (Not to exceed a total of 2 PDH/year) 1 PDH

[Statutory Authority: Chapters 18.43 and 18.210 RCW. WSR 12-09-008, § 196-34-120, filed 4/5/12, effective 5/6/12. Statutory Authority: RCW 18.43.035 and chapter 18.210 RCW. WSR 06-11-118, § 196-34-120, filed 5/19/06, effective 7/1/06.]

**WAC 196-34-125 Activities that do not qualify for PDH credits.** The following are not considered qualifying activities:

- (1) Taking courses, specialized instruction or meeting performance criteria that were conditions of a board order.
- (2) Attendance or testimony at legislative hearings.
- (3) Attendance or testimony at city or county council meetings/hearings.
- (4) Attendance or testimony at civil or criminal trials.
- (5) Time spent fund raising for scholarships or other society purposes or lobbying for legislation.
- (6) Attendance at gatherings that are primarily social in nature.
- (7) Membership and/or attendance in service club meetings.

[Statutory Authority: RCW 18.43.035 and chapter 18.210 RCW. WSR 06-11-118, § 196-34-125, filed 5/19/06, effective 7/1/06.]

**WAC 196-34-130 Determination of credit.** The board is the final authority with respect to claimed qualifying activities and the respective PDH credit. Qualifying activity becomes eligible for credit upon completion of the given activity.

[Statutory Authority: Chapters 18.43 and 18.210 RCW. WSR 12-09-008, § 196-34-130, filed 4/5/12, effective 5/6/12. Statutory Authority: RCW 18.43.035 and chapter 18.210 RCW. WSR 06-11-118, § 196-34-130, filed 5/19/06, effective 7/1/06.]

**WAC 196-34-135 Recordkeeping and audits.** The designer is responsible for maintaining records to be used to support credits claimed. Records should include date of activity, instructor's name, description of activity, number of contact hours and location. The designer is required to keep their records of professional development covering the cumulative time in the current renewal period plus the two years before

the last renewal. All professional development records and supporting documentation must be furnished to the board upon request.

If an audit disqualifies credits that were reported to the board by a designer and results in the licensee failing to complete the PDH requirements, the board may require the shortage to be made up over a period of time established by the board.

[Statutory Authority: Chapters 18.43 and 18.210 RCW. WSR 12-09-008, § 196-34-135, filed 4/5/12, effective 5/6/12. Statutory Authority: RCW 18.43.035 and chapter 18.210 RCW. WSR 06-11-118, § 196-34-135, filed 5/19/06, effective 7/1/06.]

**WAC 196-34-140 Noncompliance with professional development.** (1) A designer who fails to comply with the requirements of this chapter is subject to disciplinary action by the board.

(2) A designer who, through the course of an audit, is discovered to have falsified professional development documentation to the board is subject to disciplinary action by the board.

[Statutory Authority: Chapters 18.43 and 18.210 RCW. WSR 12-09-008, § 196-34-140, filed 4/5/12, effective 5/6/12. Statutory Authority: RCW 18.43.035 and chapter 18.210 RCW. WSR 06-11-118, § 196-34-140, filed 5/19/06, effective 7/1/06.]

**WAC 196-34-145 Waiver.** The board may grant a waiver to the time requirement for collection of professional development to designers who qualify. A request for a waiver must be made in writing and clearly state the justification and include any necessary documentation required by the board. All waivers expire on the next date of license renewal unless the board grants an extension.

The board may grant waivers for:

- (1) Physical disability, prolonged illness, or other extenuating circumstances that pose a personal hardship.
- (2) Individuals who have been placed on active military duty for at least one hundred twenty days.

[Statutory Authority: Chapters 18.43 and 18.210 RCW. WSR 12-09-008, § 196-34-145, filed 4/5/12, effective 5/6/12. Statutory Authority: RCW 18.43.035 and chapter 18.210 RCW. WSR 06-11-118, § 196-34-145, filed 5/19/06, effective 7/1/06.]

**WAC 196-34-150 Exemption.** Designers who have been approved for "Inactive Status" as provided in WAC 196-34-155 are exempt from the requirement of collecting professional development hours.

[Statutory Authority: Chapters 18.43 and 18.210 RCW. WSR 12-09-008, § 196-34-150, filed 4/5/12, effective 5/6/12. Statutory Authority: RCW 18.43.035 and chapter 18.210 RCW. WSR 06-11-118, § 196-34-150, filed 5/19/06, effective 7/1/06.]

**WAC 196-34-155 Inactive status.** Any designer who signs a board approved affirmation that they are not engaged in the practice as an on-site wastewater treatment system designer is eligible for inactive status. Those with inactive status are prohibited from any practice as an on-site wastewater treatment system designer as provided in chapter 18.210 RCW. A designer on inactive status may reinstate their license to active status by written request to the board and payment of any applicable fees. In the first year of reactivated

practice the designer may be required by the board to collect an additional fifteen PDH.

[Statutory Authority: Chapters 18.43 and 18.210 RCW. WSR 12-09-008, § 196-34-155, filed 4/5/12, effective 5/6/12. Statutory Authority: RCW 18.43.035 and chapter 18.210 RCW. WSR 06-11-118, § 196-34-155, filed 5/19/06, effective 7/1/06.]

**WAC 196-34-160 Comity/out-of-jurisdiction resident.** The professional development requirements, as provided for in this chapter, may be satisfied when the board can verify that a designer has satisfied professional development requirements in another jurisdiction recognized by the board, as being equivalent to the requirements of this chapter.

[Statutory Authority: Chapters 18.43 and 18.210 RCW. WSR 12-09-008, § 196-34-160, filed 4/5/12, effective 5/6/12. Statutory Authority: RCW 18.43.035 and chapter 18.210 RCW. WSR 06-11-118, § 196-34-160, filed 5/19/06, effective 7/1/06.]