

Secretary of the State File Number

6320

Regulation of the

Department of Consumer Protection
Concerning

Architects Continuing Education and Emeritus Status

Regulations adopted after July 1, 2013, become effective upon posting to the Connecticut eRegulations System, or at a later date if specified within the regulation.

Posted to the Connecticut eRegulations System on **June 4, 2020**

EFFECTIVE DATE

June 4, 2020

Approved by the Attorney General on

March 27, 2020

Approved by the Legislation Regulation Review Committee on

June 2, 2020

Electronic copy with agency head certification statement electronically submitted to and received by the Office of the Secretary of the State on

June 3, 2020

Form ICM-ECOPY (NEW 6/2015)
State of Connecticut
Secretary of the State



IMPORTANT NOTICE FOR CONNECTICUT STATE AGENCIES
This form should be used only for regulations first noticed on and after March 23, 2015.

Electronic Copy Certification Statement

(Submitted in accordance with the provisions of section 4-172 of the Connecticut General Statutes)

Regulation of the
Department of Consumer Protection
Concerning
Architects Continuing Education and Emeritus Status

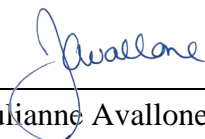
Approved by the Legislative Regulation Review Committee: **June 2, 2020**

eRegulations System Tracking Number: **PR2019-019**

I hereby certify that the electronic copy of the above-referenced regulation submitted herewith to the Secretary of the State is a true and accurate copy of the regulation approved in accordance with sections 4-169 and 4-170 of the *Connecticut General Statutes*.

And I further certify that in accordance with the approval of Legislative Regulation Review Committee, all required technical corrections, page substitutions and deletions, if any, have been incorporated into said regulation.

In testimony whereof, I have hereunto
set my hand on **June 3, 2020**.



Julianne Avallone
Legal Division Director
Department of Consumer Protection

**State of Connecticut
Regulation of
Department of Consumer Protection
Concerning
Architects Continuing Education and Emeritus Status**

Section 1. Sections 20-289-1a, 20-289-6a and 20-289-8a of the Regulations of Connecticut State Agencies are amended to read as follows:

Sec. 20-289-1a. Definitions

Unless otherwise expressly stated, the following terms have, for the purposes of sections 20-289-1a to [20-289-12a] 20-289-13a, inclusive, of the Regulations of Connecticut State Agencies, the meanings indicated in this section:

- (1) “Applicant” means a person who has the qualifications for admission to examinations and who has filed with the department an application for licensure accompanied by the examination fee;
- (2) “A.R.E.” means the Architect Registration Examination as prepared by N.C.A.R.B.;
- (3) [“board”] “Board” means the Connecticut Architectural Licensing Board;
- (4) [“commissioner”] “Commissioner” means the Commissioner of Consumer Protection or said Commissioner’s authorized designee;
- (5) [“construction”] “Construction” means any new construction, enlargement or alteration of any building or project;
- (6) [“department”] “Department” means the Department of Consumer Protection;
- (7) [“licensed architect”] “Licensed architect” means a person duly licensed as an architect by the board or the department to engage in the practice of architecture;
- (8) “N.A.A.B.” means the National Architectural Accrediting Board;
- (9) “N.C.A.R.B.” means the National Council of Architectural Registration Boards;
- (10) “N.E.C.A.R.B.” means the New England Council of Architectural Registration Boards;
- (11) [“plans”] “Plans” means any drawings or graphic representations or any combination of drawings or graphic representations, or reproduction thereof, prepared for the purpose of illustrating proposed or intended designs for the construction; [and]
- (12) [“specifications”] “Specifications” means detailed statements of particulars for construction;
- (13) “C.E.” means continuing education;
- (14) “C.E.H.” means continuing education hours. C.E.H. is one continuous instructional hour (50 to 60 minutes) spent in educational activities intended to increase or update the architect’s knowledge and competence in health, safety, and welfare subjects; and
- (15) “H.S.W.S.” means health, safety and welfare subjects related to the practice of architecture that are within the following subject areas:
 - (A) Practice management. This category focuses on areas related to the management of architectural practice and the details of running a business;
 - (B) Project management. This category focuses on areas related to the management of architectural projects through completion;
 - (C) Programming and analysis. This category focuses on areas related to the evaluation of project requirements, constraints and opportunities;
 - (D) Project planning and design. This category focuses on areas related to the preliminary design of sites and buildings;

(E) Project development and documentation. This category focuses on areas related to the integration and documentation of building systems, material selection, and material assemblies into a project; and

(F) Construction and evaluation. This category focuses on areas related to construction contract administration and post-occupancy evaluation of projects.

Sec. 20-289-6a. License procedures and continuing education requirements

(a) **License issuance.** A license shall be issued to an applicant who:

(1) successfully passes the A.R.E.[:] and completes the N.C.A.R.B. Architectural Experience Program training requirements;

(2) [completes the N.C.A.R.B. Architectural Experience Program training requirements.] provides evidence of a certificate of registration issued by N.C.A.R.B.; or

(3) provides evidence that the applicant has been registered in another jurisdiction having registration requirements substantially equal to the licensure requirements of this state for a period of not less than ten years and attests that such applicant has been employed as an architect for an aggregate period of not less than ten years.

[(b) After initial licensure, entries shall be made in the licensee's file, including the license number and date of initial license.

(c) A license shall be issued to each licensee upon initial licensing and shall include the individual's license number. An individual's license and right to practice shall commence upon the issuance of said license and license number, and, unless suspended, revoked, cancelled or lapsed, shall remain in effect.

(d) A license shall be issued to all licensees annually.]

(b) **C.E. requirements.** In addition to all other requirements for license renewal, an architect shall complete a minimum of twelve (12) C.E.H. each calendar year or be exempt from these C.E. requirements as provided in subsection (e) of this section. Failure to comply with these requirements may result in an enforcement action pursuant to section 20-294 of the Connecticut General Statutes.

(c) **C.E.H. requirements.** Twelve (12) C.E.H. shall be completed in H.S.W.S. Excess C.E.H. may not be credited to a future calendar year. C.E.H. shall be certified by the American Institute of Architects, N.C.A.R.B. or the Connecticut Office of Data and Education Management.

(d) **Reporting and record keeping.** An architect shall maintain a record of his or her C.E.H. for six (6) years from the date the C.E.H. was earned. Upon request by the board or department an architect shall be required to submit evidence sufficient to the board or department that the architect has completed the required C.E.H. An architect's C.E.H. may be audited by the board or department for verification of compliance with the requirements of this section. If the board or department finds, after proper notice and hearing, that the architect failed to comply with these requirements or falsified documentation of required C.E.H., the architect may be subject to enforcement action pursuant to section 20-294 of the Connecticut General Statutes.

(e) **Exemptions.** For reason of health, military service, or other individual hardship, the board may, in its discretion, excuse an architect from C.E. requirements if the architect otherwise meets all other renewal requirements. If an exemption of an architect from C.E. requirements is made by the board, the board's written decision shall be final and not appealable to the department. An architect who has been granted emeritus status by the board or department shall not be subject to C.E. requirements.

Sec. 20-289-8a. Lapsed license

(a) A license is deemed lapsed if the holder thereof has failed to pay the renewal fee as prescribed by statute. The holder of a lapsed license shall not again practice architecture in this state until the license holder has paid the renewal fee for each lapsed year and a penalty of twenty-five dollars for each lapsed year or fraction thereof after the first sixty (60) days following the date on which the license became lapsed and provided such payment is made within three years of the date on which the license lapsed. If more than three (3) years have elapsed from the date on which a license lapsed, the holder shall not again practice architecture in this state until an application for licensing, accompanied by the fee for a license and the renewal fees for each lapsed year, up to a maximum of ten (10) years, has been submitted to the department and the holder of the lapsed license meets the qualifications set forth in subsection (b) of this section. In such a case, the department shall issue a new license number to the applicant.

(b) Notwithstanding the provisions of Section 20-289-3a of the Regulations of Connecticut State Agencies, an applicant whose license has lapsed for a period of three years or more shall be allowed to be licensed if the applicant meets the requirements, which may include an examination requirement, established by the department, upon advisement from the board to ensure that a lapsed licensee possesses sufficient credentials in the areas of education, experience and training.

(c) A certificate of authorization for the practice of architecture shall be deemed lapsed if the corporate holder thereof has failed to pay the renewal fee as prescribed by statute. The corporate holder of a lapsed certificate of authorization shall not again practice architecture in this state until the renewal fee has been paid for each lapsed year or fraction thereof after the first sixty (60) days following the date on which the certificate of authorization lapsed and provided such payment is made within three (3) years of the date on which the certificate of authorization lapsed. If more than three years have elapsed from the date on which the certificate of authorization lapsed, the corporate holder shall not again practice architecture in this state until application for certificate of authorization, accompanied by the fee, has been submitted to and approved by the department. Upon such approval, the corporate holder shall be issued a new registration number.

(d) An architect whose license has lapsed may return to the active practice of architecture by submitting a current renewal application form, the renewal fee, and documentation of completing the C.E.H. to the department for the lesser of the accumulated C.E. requirements or thirty-six (36) C.E.H.

Sec. 2. The Regulations of Connecticut State Agencies are amended by adding section 20-289-13a as follows:

(NEW) Sec. 20-289-13a. Emeritus status

(a) An architect whose license is in good standing may apply for architect emeritus status if he or she is retired from the active practice of architecture. For the purposes of this section, “retired” means the architect no longer engages in the practice of architecture, as defined in section 20-288 of the Connecticut General Statutes, and the applicant either: (1) has been licensed for not less than ten (10) years in this state, or (2) is sixty five (65) years of age or older.

(b) An architect who provides, to the board or department’s satisfaction, documentation that he or she is physically or mentally unable to participate in the active practice of architecture may apply for architect emeritus status.

(c) Upon application to the department, if all requirements are met, the architect shall be granted architect emeritus status.

(d) An individual granted architect emeritus status may use the title “Architect Emeritus” or

“Emeritus Architect” on any letter, title, sign, card or device.

(e) If an architect emeritus wishes to return to the active practice of architecture, he or she may do so by submitting a current renewal application form, the renewal fee, and documentation of completing the C.E.H. for the lesser of the accumulated C.E. requirements since being granted architect emeritus status or thirty-six (36) C.E.H. The required C.E.H. shall be completed within the three (3) years prior to applying for active practice of architecture.

R-39 Rev. 02/2012

Statement of Purpose

This proposed regulation incorporates the statutory changes required by 2019 Public Act No. 177, Sections 13 through 16, inclusive.

The regulation implements continuing education requirements for architects. It specifically lists the subject areas which are relevant to the current practice of architecture, sets forth the required hours of instruction, and creates the associated administrative details (within existing sections 20-289-1a; 20-289-6a; 20-289-8a).

This regulation also implements the new “emeritus” category of licensure (within new section 20-289-13a) created pursuant to Section 16 of the Public Act, which carries an annual fee of \$10.00.

Form Agency-Cert-PR-TA-ICM (Rev 11/2017)
State of Connecticut
Secretary of the State



IMPORTANT NOTICE FOR CONNECTICUT STATE AGENCIES

This form is to be used for proposed permanent and technical amendment regulations only and must be completed in full.

AGENCY CERTIFICATION

Department of Consumer Protection

Proposed Regulation Concerning

Architects Continuing Education and Emeritus Status

eRegulations System Tracking Number **PR2019-019**

I hereby certify the following:

(1) The above-referenced **regulation** is proposed pursuant to the following statutory authority or authorities: **Conn. Gen. Stat. Sec. 20-289 and 2019 Public Act 177, Sections 13 through 16, inclusive**

For technical amendment regulations proposed without a comment period, complete #2 below, then skip to #8.

(2) As permitted by Section 4-168(h) of the *Connecticut General Statutes*, the agency elected to proceed without prior notice or hearing and posted the text of the proposed technical amendment regulation on eRegulations System website on **N/A**.

For all other non-emergency proposed regulations, complete #3 - #7 below, then complete #8)

(3) The agency posted notice of intent with a specified comment period of not less than 30 days to the eRegulations System website on **February 13, 2020**.

(4) *(Complete one)* ☒ No public hearing held or was required to be held. **OR** ☐ One or more public hearings were held on: **N/A**.

(5) The agency posted notice of decision to move forward with the proposed regulation to the eRegulations System website on **March 20, 2020**.

(6) *(Complete one)* ☒ No comments were received. **OR** ☐ Comments were received and the agency posted the statements specified in subdivisions (1) and (2) of CGS Section 4-168(e) to the eRegulations System website on **N/A**.

(7) The final wording of the proposed regulation was posted to the eRegulations System website on **February 13, 2020**.

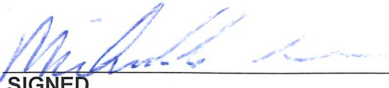
(8) Subsequent to approval for legal sufficiency by the Attorney General and approval by the Legislative Regulation Review Committee, **the final regulation shall be effective**

(Check one and complete as applicable)

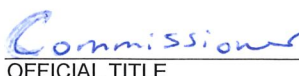
☒ When posted to the eRegulations System website by the Secretary of the State.

OR ☐ On _____

(Date must be a specific calendar date not less than 11 days after submission to the Secretary of the State)


SIGNED

*(Head of Board, Agency or Commission,
or duly authorized deputy)*


COMMISSIONER
OFFICIAL TITLE

3/20/2020
DATE

OFFICE OF THE ATTORNEY GENERAL

REGULATION CERTIFICATION

AGENCY: Connecticut Department of Consumer Protection

REGULATION NUMBER: PR2019-019

This Regulation is hereby APPROVED by the Attorney General as to legal sufficiency in accordance with Connecticut General Statutes Section 4-169.

DATE: March 27, 2020

SIGNED:



Joseph Rubin, Assistant Deputy Attorney General
Duly Authorized

The Connecticut General Assembly

Legislative Regulation Review Committee

Senator Craig Miner
Senate Chair



Representative Susan Johnson
House Chair

Official Record of Committee Action

June 2, 2020

Agency: Department of Consumer Protection
Description: Architects Continuing Education and Emeritus Status
LRRC Regulation Number: 2020-006
eRegulation Tracking Number: PR2019-019

The above-referenced regulation has been

Approved with Technical Corrections

by the Legislative Regulation Review Committee in accordance
with CGS Section 4-170.

Kirstin L. Breiner
Committee Administrator



State of Connecticut
Office of the Secretary of the State

Confirmation of Electronic Submission

Re: Regulation of the Department of Consumer Protection concerning Architects
Continuing Education and Emeritus Status
eRegulations System Tracking Number PR2019-019
Legislative Regulation Review Committee Docket Number 2020-006

The above-referenced regulation was electronically submitted to the Office of the Secretary of the State in accordance with Connecticut General Statutes Section 4-172 on June 3, 2020.

Said regulation is assigned Secretary of the State File Number 6320.

The effective date of this regulation is June 4, 2020.

A handwritten signature in black ink, reading "Denise W. Merrill".

Denise W. Merrill
Secretary of the State
June 4, 2020

By:

/s/ Kristin M. Karr

Kristin M. Karr
Administrative Law
Information Systems Manager