

# REGULATION UPDATE

## April 2009

### ALL BRANCH 2 AND/OR 3 LICENSEES, REGISTERED COMPANIES AND BRANCH OFFICES

The Structural Pest Control Board (Board) has amended sections 1937, 1950, 1950.5 and 1953 of title 16 of the California Code of Regulations. These amendments become effective April 19, 2009.

Section 1937 requires that a field representative complete training and education in Integrated Pest Management (IPM) as part of his or her pre-licensing requirements.

Section 1950 requires that all branch 2 and/or 3 licensees that renew **on or after June 30, 2010**, complete two hours of IPM education as part of the renewal requirements.

Field representatives and operators licensed in branch 2 and or 3, will be required to complete 8 hours of rules and regulations, 4 technical hours in each licensed branch, 2 hours of IPM, and 2 general hours.

Applicators will be required to complete 4 hours of rules and regulations, 6 hours of pesticide application and use, and 2 hours of IPM.

Section 1950.5 assigns an hour value and course classification code (m) for IPM courses.

Section 1953 removes the requirement that continuing education providers supply an evaluation form and cover the cost of postage for sending the form to the Board.

Please find attached a copy of the revised regulations. The strikethrough text indicates the old language and the underlined text indicates the new language.

If you have any questions, please call 916-561-8700.

Attachment

## STRUCTURAL PEST CONTROL BOARD REVISED REGULATIONS

### §1937. Qualification of Applicant.

(a) "Experience" and "in the employ of," as used in section 8562(b) of the code and "training and experience" as used in section 8564 of the code means actual field work.

(b) A qualifying manager of a registered company or licensed operator designated by a company shall provide written certification of an employee's or former employee's experience and time accurately and promptly upon written request by the employee. The qualifying manager or designated licensed operator must be licensed in the branch or branches for which he/she is certifying experience and time.

(c) Specific minimum requirements of training and experience are accorded to the branch or branches for which the applicant is applying, as follows:

Branch 1 A minimum of one hundred hours of training and experience in preparation, fumigation, ventilation, and certification required.

Branch 2 A minimum of forty hours of training and experience, twenty hours of which are actual field work, required. The minimum hour requirement must include training and experience in Integrated Pest Management as defined in section 1984, and the impact of structural pest control services on water quality.

Branch 3 A minimum of one hundred hours of training and experience, eighty hours of which are actual field work, required. The minimum hour requirement must include training and experience in Integrated Pest Management, and the impact of structural pest control services on water quality.

NOTE: Authority cited: Section 8525, Business and Professions Code. Reference: Sections 8560, 8562 and 8564, Business and Professions Code.

### §1950. Continuing Education Requirements.

(a) Except as provided in section 1951, every licensee is required, as a condition to renewal of a license, to certify that he or she has completed the continuing education requirements set forth in this article. A licensee who cannot verify completion of continuing education by producing certificates of activity completion, whenever requested to do so by the Board, may be subject to disciplinary action under section 8641 of the code.

(b) Each licensee is required to ~~gain~~ complete a certain number of continuing education hours during the three year renewal period. The number of hours required depends on the number of branches of pest control in which licenses are held. The subject matter covered by each activity shall be designated as "technical" or "general" by the Board when the activity is approved. Hour values shall be assigned by the Board to each approved educational activity, in accordance with the provisions of section 1950.5.

(c) Operators licensed in one branch of pest control shall ~~gain~~ complete 16 continuing education hours during each three year renewal period. Operators licensed in two branches of pest control shall ~~gain~~ complete 20 continuing education hours during each

three year renewal period. Operators licensed in three branches of pest control shall ~~gain~~ complete 24 continuing education hours during each three year renewal period. In each case, a minimum of four continuing education hours in a technical subject directly related to each branch of pest control held by the licensee must be ~~gained~~ completed for each branch license, a minimum of two hours in Integrated Pest Management as defined in section 1984 must be gained completed by Branch 2 and/or 3 licensees renewing on or after June 30, 2010, and a minimum of eight hours must be ~~gained~~ completed from Board approved courses on the Structural Pest Control Act, the Rules and Regulations, or structural pest control related agencies' rules and regulations.

(d) Field representatives licensed in one branch of pest control shall have completed 16 continuing education hours, field representatives licensed in two branches of pest control shall have completed 20 continuing education hours, field representatives licensed in three branches of pest control shall have completed 24 continuing education hours during each three year renewal period. In each case, a minimum of four continuing education hours in a technical subject directly related to each branch of pest control held by the licensee must be ~~gained~~ completed for each branch of pest control licensed, a minimum of two hours in Integrated Pest Management must be gained completed by Branch 2 and/or 3 licensees renewing on or after June 30, 2010, and a minimum of eight hours must be ~~gained~~ completed from Board approved courses on the Structural Pest Control Act, the Rules and Regulations, or structural pest control related agencies' rules and regulations.

(e) For the renewal period ending December 31, 2008, and each subsequent renewal period up to the renewal period ending June 29, 2010, a licensed applicator shall have completed 12 hours of Board approved continuing education. Such continuing education shall consist of eight hours of continuing education covering pesticide application and use, and four hours covering the Structural Pest Control Act and its rules and regulations or structural pest related agencies' rules and regulations.

(f) For the renewal period ending June 30, 2010 and each subsequent renewal period, a licensed applicator shall have completed 12 hours of Board approved continuing education. Such continuing education shall consist of six hours of continuing education covering pesticide application and use, two hours covering Integrated Pest Management, and four hours covering the Structural Pest Control Act and its rules and regulations or structural pest related agencies' rules and regulations.

~~(f)~~ (g) Operators who hold a field representative's license in a branch of pest control in which they do not hold an operator's license must ~~gain~~ complete four of the continuing education hours required by section 1950(c) in a technical subject directly related to the branch or branches of pest control in which the field representative's license is held, in order to keep the field representative's license active.

~~(g)~~ (h) No course, including complete operator's courses developed pursuant to section 8565.5, may be taken more than once during a renewal period for continuing education hours.

NOTE: Authority cited: Section 8525, Business and Professions Code. Reference: Section 8560 and 8593, Business and Professions Code.

## §1950.5. Hour Value System.

The following hour values shall be assigned to the educational activities approved by the Board. All educational activities must be submitted to the Board for approval before presentation for continuing education credit, in accordance with section 1953. Each activity approved for technical or rules and regulations continuing education hours must include a written examination to be administered at the end of the course. Examinations administered at the end of the course must consist of ten questions per one hour of instruction, with 40 questions minimum for any activity of instruction of four hours or more. Licensees must obtain a passing score of 70% or better in order to obtain a certificate of course completion. If the examination is failed, the licensee shall be allowed to be reexamined by taking a different examination within sixty days.

(a) Accredited college courses - 10 hours for each 2 semester-unit course; 16 hours for each 3 semester-unit course.

(b) Adult education courses - 6 hours

(c) Professional seminars or meetings - up to a maximum of 6 hours per seminar or meeting. Additional hours may be approved depending on the complexity of the activity and its relevance to new developments in the field of pest control.

(d) Technical seminars or meetings - up to a maximum of 6 hours per seminar or meeting. Additional hours may be approved depending on the complexity of the activity and its relevance to new developments in the field of pest control.

(e) Operators' courses approved by the Board pursuant to section 8565.5 of the code - 1 hour per hour of instruction.

(f) Correspondence courses developed by the Board pursuant to section 8565.5 of the code - full credit per branch.

(g) Correspondence courses approved by the Board - hours will be assigned depending on the complexity of the course and its relevance to new developments in the field of pest control.

(h) Association meetings - 1 hour for every hour of instruction up to a maximum of 4 hours per meeting.

(i) Structural Pest Control Board meetings - 1 general hour and 1 rule and regulation hour per meeting, up to a maximum of 4 hours per renewal period (excluding Board Members.) This activity is exempt from examination requirements pursuant to this section.

(j) Structural Pest Control Board Committee meetings - 1 hour per meeting, up to a maximum of 2 hours per renewal period (excluding Board Members).

(k) In-house training in technical subjects - 1 hour per hour of instruction.

(l) Board approved Rules and Regulations courses - 1 hour for every hour of instruction.

(m) Integrated Pest Management courses – 1 hour for every hour of instruction.

NOTE: Authority cited: Section 8525, Business and Professions Code. Reference: Section 8593, Business and Professions Code.

§1953. Approval of Activities.

(a) Providers of activities of continuing education in pest control shall request approval as a provider and of activities on forms provided by the Board (See Form 43M-18 (Rev. 6/02) at the end of this section) accompanied by the required fees. Requests for approval of activities must be submitted to the Board no later than 60 days prior to presentation of the activity unless exception is granted by the Registrar.

(b) All providers must notify the Board 30 days prior to the presentation of any board approved activity, unless exception is granted by the Registrar.

(c) All providers must submit a course attendance roster (See Form No. 43M-46(New 3/93) at the end of this section) to the Structural Pest Control Board within five working days after every course instructed.

(d) After giving the provider a written notice and an opportunity to respond, the Board may withdraw approval of any activity, when good cause exists. Good cause shall include, but not be limited to, failure actually to meet the standards for approval of activities which are outlined in subsection (f) of this section.

(e) Unless otherwise indicated on the written notification of approval, or unless an approval is withdrawn by the Board at an earlier date, approval of each activity shall remain in effect for 3 years.

(f) In order to be approved, activities must be:

(1) Directly related to the field of structural pest control;

(2) Provided by an institution, association, university, or other entity assuming full responsibility over the course program;

(3) Composed of a formal program of learning which requires:

(A) attendance and participation,

(B) at least one hour of instruction,

(C) a syllabus (detailed outline of the main points of the curriculum),

~~—(D) an evaluation method on Form No. 43M-39 (Rev. 10/03), costs of postage which shall be incurred by the provider (which is printed at the end of this section),~~

~~(E)~~ (D) a certificate of completion on Form No. 43M-38 (NEW 5/87) (which is printed at the end of this section); and,

(4) Conducted by an instructor who has qualified by meeting two of the following experience requirements:

(A) Completion of training in the subject of the activity,

(B) Six months' experience working in the area covered by the activity within the preceding three years,

(C) Experience teaching an activity of similar content within the preceding five years,

(D) Completion of any post-secondary studies related to the subject matter of the activity,

(E) Author of the activity being reviewed, or a credentialed instructor.

(g) No activity which focuses on the policies or procedures of a single firm shall be approved.

NOTE: Authority cited: Section 8525, Business and Professions Code. Reference: Section 8593, Business and Professions Code.