



State of Vermont
Office of the Secretary of State

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Guidance on Waiver of Continuing, Qualifying, or Prelicensing Education Course Approval Fee for Certain Providers

“If continuing education is required by law or rule, the Office shall apply uniform standards and processes that apply to all professions regulated by the Office for the assessment and approval or rejection of continuing education offerings, informed by profession-specific policies developed in consultation with relevant boards and advisor appointees.” 3 V.S.A. § 136.

In Act 70 (2019), the Vermont General Assembly amended Title 3, Section 125(a) of the Vermont State Annotated Code to permit a board or advisor profession to charge \$100.00 to providers and \$25.00 to individuals who are seeking approval from the Office of Professional Regulation (OPR) for continuing, qualifying, or prelicensing education courses.

Providers seek approval of continuing, qualifying or prelicensing education courses for the purpose of advertising a course as pre-approved by OPR for continuing education credits. Individuals do so when seeking credit for activities that have not been pre-approved through a provider. Reviewing course syllabi and materials is resource-intensive work. In the absence of a fee for that service, providers and licensees lack an incentive to orient themselves to course-approval requirements before applying. Act 70 evinces an intent to recover costs of course evaluation from those requesting course evaluation, rather than subsidizing those costs through licensing fees, as necessarily occurs in the absence of a course-approval fee.

This policy is appropriate where a commercial course provider will profit from attendance fees charged to licensees, and where a licensee requests individualized review and approval of a unique course. OPR recognizes, however, that some continuing, qualifying and prelicensing education course providers offer courses for little or no fee in an effort to ensure that licensees remain current and competent in their licensed profession. OPR also acknowledges that, though federal and state government agencies may offer continuing, qualifying and prelicensing education courses for a fee, shifting funds from one government agency to another for course approval is nonsensical.

To this end, OPR will not charge the \$100.00 course approval fee to providers that are offering a continuing, qualifying or preclicensing education course for free to licensees, or to federal and state government agencies providing continuing, qualifying or preclicensing education courses.

Non-government course providers will only be eligible for a waiver of the \$100.00 course approval fee if the provider does not charge any fee, including fees for materials, to or demand anything of value from licensees in exchange for participating in the course or accessing course materials.

Federal and state government agencies shall not be charged the \$100.00 course approval fee regardless of whether a fee is charged to licensees for participation in the course.

Where OPR approval of a continuing, qualifying or preclicensing education course is required by law, all course providers, regardless of whether the provider is exempt from the course approval fee, must still request approval of the course through the OPR online licensing system.

Where no course approval is required (i.e., where a profession's Administrative Rules state that courses offered by a certain organization do not need Board approval), no course approval fee shall be charged to either a provider or an individual taking the course to fulfill continuing education licensure requirements.