

## THE REGISTERED PROFESSIONAL GEOLOGISTS PRACTICE ACT OF 1997

### EXECUTIVE SUMMARY

The Registered Professional Geologists Practice Act of 1997 ("The Act") was designed to safeguard the general public and promote its welfare through the establishment of a statewide clearinghouse through which anyone engaging in the practice of geology will be required to register and to which they will remain accountable. A practicing geologist is one who practices any branch of geology, presents himself/herself by any means orally or in writing as a "geologist", who performs or claims to be qualified to perform any geological services, and/or who makes any geologic determinations or evaluations which may affect the public's physical health and safety as well as its financial welfare. Specific exemptions include but are not limited to those individuals whose work is performed exclusively for the development of petroleum resources and for those whose only practice is teaching.

The Act establishes the designation "Registered Professional Geologist" to mean any geologist who has met all academic and other qualifications as established by the governing body of the Board of Registered Professional Geologists (hereinafter referred to as "the Board"). The requirements are that the applicant (1) be a graduate of an accredited (4 year) college or university with at least 30 semester hours or 45 quarter hours of credit in the study of geology or a geological specialty; (2) have a minimum of 4 years qualifying experience in geology or a geological specialty; (3) have successfully passed at least one examination in geology administered by the Board; and (4) met other requirements as may be established by the Board. The Board may require that experience be gained under the supervision of a Registered Professional Geologist, and may consider substituting a Master's Degree for 1 year of professional experience and an earned Doctorate Degree for 2 years of professional experience, with no more than 2 years credit given for all graduate degrees. The Board may also consider experience in research and teaching as comparable to experience gained in the practice of geology or a geological specialty. The Board may accept an applicant's examination from another organization if that examination is deemed appropriate and if the completed examination, including a copy of the correct answers, is provided to the Board. The Board may also accept without further examination any applicant holding valid (comparable) certification from another state.

Those individuals not able to meet the minimum experience requirement may register as "Geologist-In-Training" and will be eligible for promotion to Registered Professional Geologist, with all its rights and responsibilities, at such time that all requirements are met. Applicants for certification as a Registered Professional Geologist must provide the Board with a completed application form, three letters of reference, proof of educational requirements, a detailed summary of qualifying experience, and an officially notarized statement that he/she has read and shall adhere to the code of professional conduct. Registration will be granted for a period of two years, and will become valid upon payment of required application and registration fees. A Registered Professional Geologist will be issued an official seal bearing his/her name, registration number, and the inscription "Registered Professional Geologist" which is to be used on all geologic reports, documents or other public records offered to or filed for the public.

The Board may take disciplinary action against any Registered Professional Geologist or Geologist-In-Training who violates any rule or regulation set forth in the Act, any written order issued by the Board, any condition of registration, or any standard of professional conduct. In addition, disciplinary action may be taken for fraud, deceit or misrepresentation in obtaining the certificate of registration, gross negligence, malpractice, incompetency, misconduct, or repeated incidents of same, using the seal of

another Registered Professional Geologist or allowing one's seal to be used, aiding or abetting any person in violation of this chapter, or for noncompliance with an order for support, as defined in Section 93-11-153.

The Board may also take disciplinary action against any person who is found to be in violation of this chapter, including anyone who (1) practices, offers, or attempts to practice geology unless registered as a Registered Professional Geologist (or Geologist-In-Training), or unless said person falls under specific exemptions as outlined in the Act; (2) uses the terms "**Geologist**" or "**Registered Professional Geologist**" or claims to be certified to practice geology or any of its specialties without being registered under this chapter; (3) alters or revises any document, map or work signed or sealed by a Registered Professional Geologist, (4) changes or alters the name or seal of a Registered Professional Geologist on any document, map or work, (5) impersonates or attempts to use the certificate or seal of another Registered Professional Geologist; (6) manages any business from which geological work is offered, performed or practiced for the public without the required supervision of a Registered Professional Geologist; (7) uses geologic work for purposes in violation of this chapter; or (8) violates this chapter or any rule, regulation or written order, or any condition or limitation of registration under this chapter.

Any person may bring before the Board complaints alleging any of the above without fear of action being taken against him/her for civil damages. At such time allegations are made, the Board must notify the accused and hold a hearing, unless such allegations can be resolved amicably between the Board and the accused. If the accused is found to be in violation of any of the above stated items, the Board may deny, suspend or revoke certification, issue a public or private reprimand, impose limitations or conditions of practice or probation, require restitution of compensation or fees earned while in violation, assess a monetary penalty, or require that the accused take a course in ethics. If applicable, enforcement of such penalties may be taken before the Chancery Court in the judicial district where the accused resides or in the Chancery Court of the First Judicial District of Hinds County, MS. Any person aggrieved by an action of the Board may appeal to the appropriate Chancery Court and, if necessary, to the Supreme Court, as required or allowed by law.

In the event a public contract is offered, preference will be given to Registered Professional Geologists who are residents of the State of Mississippi over nonresidents if such preference is also afforded by the state in which the nonresident is registered. Nonresident Registered Professional Geologists shall provide their own state's statute, resolution, policy, procedure, and/or executive order pertaining to such treatment so that fair treatment can be provided. Such preferential treatment will be voided under the conditions of federal contracts that expressly forbid such treatment. Any public contract which violates these mandates will be declared void and shall not be enforced by any court of this state.

This Executive Summary should not be misconstrued as complete or entire with reference to all components or requirements of the Act. It is strongly recommended that all applicants for registration under this Act read the Act in its entirety.