**MINUTES**

**BOARD FOR PROFESSIONAL ENGINEERS**

**Date:**  April 13, 2023

**Time:** 9:30 a.m.

**Place:** 1100 N. Eutaw Street

Baltimore, MD 21201

Access Using Video Conferencing

Meet.google.com/ipm-pxny-hej

Phone: 1-484-416-2276

PIN: 201 307 165#

**Present:** Howard (Skip) Harclerode, P.E., Chairman

David Mongan, P.E., Vice Chairman

Edward Hubner, P.E.

Karl Rickert, P.E

Pastor Farinas, P.E.

**Others Present:** Zevi Thomas, Executive Director

Raquel Meyers, Assistant Executive Director

Jessica Praley, AAG, Counsel to the Board

Ruby Courtney, Board Administrator

Dorian Price, Administrative Specialist

**Absent:** Sallye Perrin, P.E., Secretary

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**CALL TO ORDER**

Chairman Harclerode called the meeting to order at 9:46 a.m.

**APPLICATIONS APPROVED BY THE BOARD**

Motion (I) was made by Mr. Farinas, seconded by Mr. Rickert and unanimously carried to approve 36 applications for reciprocity, one applicant for PE Licensure by Transfer of Grades and 36 applications for the Principles and Practice of Engineering Examination. That same motion included denying one application for PE licensure by reciprocity due to insufficient engineering work experience, and one application for the Principles and Practice of Engineering Examination due to unacceptable samples of work in lieu of a US PE endorsement. The Board also requested additional samples of work for one applicant for the Principles and Practice of Engineering examination that could demonstrate the development processes from the beginning to the end.

**Applications for PE Licensure by Reciprocity are as follows:**

Ahmad, Maruf I. (60896) Liu, Xiaobing (60913)

Chen, Ran (60897) Liu, Yang (60914)

Clay, Kevin D. (60898) Lopez, Alan A. (60915)

Coria Cordoba, Abraham E. (60899) Luoma, Bryan E. (60916)

Davoodi, Sassan (60890) Mahmoudi, Megan (60917)

Defibuagh, Willliam L. (60901) Mowry, Phillip H. (60918)

Dela Vega, Joselito D. (35763) Mulholland, Gregory F. (60919)

Dhakal, Shankar (60902) Nguyen, Dang (60920)

Eberts, Jared C. (60903) Nyamumbo, Kevin A. (60921)

Edwards, Thomas (60904) Pace, Adam M. (60922)

Evans, Brain L. (60905) Pandey, Ganesh (60923)

Fernandez-Arias, Richard G. (60906) Ritchie, Michael O. (60846)

Fitzpatrick, Anthony R. (60907) Scharff, Philip N. (60924)

Galbraith, Joseph M. (60908) Sidelev, Alex (60925)

Geisfeld, Matthew J. (60909) Vivelo, Carl J. (60926)

Geleta, Abiy B. (60910) Winey, Daniel E. (60927)

Killian, Joseph S. (60911) Yin, Yingyue (60928)

Krause, Kent (60912) Zhang, Xiaoyu (60929)

**Applications for PE Licensure by Transfer of Grades are as follows:**

Forouzan, Bahareh (54779)

**Applications for the Principles and Practice of Engineering Examination are as follows:**

Aboud, Ahmed Laverty, Steve M.

Ammene, Ephrem T. Long, Michael B.

Ayala-Castaneda, Frederico Loya, Jesus

Burgess, Emily E. Majmundar, Preksha P.

Burke, James P. O,Connell, Sean P.

Collins, Ted Orsini, Seth M.

Compton, Andrew J. Plangetis, Filipos K.

Desta, Daniel M. Potter, Samantha L

Diop, Mouhamed I. Rao, Anil C.

Dixon, Alexander R. Sawant, Rishabh D.

Fisher, Courtney L. Schaffer, Kaitlyn G.

Garciga, Dariel Stromberg, Mary K.

Gruber, John R. Tajhya, Dipesh

Hailemariam, Dawit T. Taylor, Jason

Ibrahim, Ali N. Wadhawani, Bhumit

Kebede, Fitsum G. Williams, Marcus T.

**Applications for the Principles and Practice of Engineering Examination (cont’d)**

Yilma, Kiaki Zhao, Wesley

**ACTION ON MINUTES**

Motion (II) was made by Mr. Farinas, seconded by Mr. Hubner, and unanimously carried by the Board to approve the minutes of the March 9, 2023 Board meeting as submitted.

**NEW BUSINESS**

Mr. Hubner announced that he would not be able to attend the NCEES Interim Zone Meeting and asked that Mr. Thomas withdraw his registration with NCEES. Mr. Hubner stated he would take care of canceling the travel and lodging arrangements.

It was verified that Ms. Perrin, Mr. Rickert, Mr. Farinas and Mr. Thomas would be attending the NCEES meeting.

Mr. Mongan announced that his term ends in July 2023 and he would not be seeking renewal of his reappointment to the Board. He stated he would continue to serve until a replacement is named.

Chairman Harclerode mentioned he is aware of candidates who would be interested in serving on the Board. Mr. Hubner reminded the members that the Statute states that the Maryland Society of Professional Engineers (MSPE) also makes recommendations for Board member candidates. Chairman Harclerode confirmed that is correct and names can be submitted to MSPE for consideration.

**OLD BUSINESS**

Chairman Harclerode reminded the Board that policies and procedures relating to signatories of the Washington Accord will be discussed after the NCEES meeting. Mr. Hubner asked that there also be a discussion on the amount of credit awarded for a degree under Option D. He does not consider that an applicant should get four years of work experience requirement for an engineering accredited Bachelor’s degree under Option D. He also wants to revisit the issue of requiring the Fundamentals of Engineering (FE) exam under Option D. Chairman Harclerode asked Ms. Courtney to the May 11, 2023 Board meeting agenda.

**CONTINUING PROFESSIONAL COMPETENCY (CPC) COMMITTEE REPORT - None**

**REPORT FROM ETHICS COMMITTEE**

Mr. Hubner stated he is working on the voice over for the free Ethics course sponsored by the Maryland Board for Professional Engineers.

**REPORT FROM EXECUTIVE DIRECTOR**

Mr. Thomas reported that there were no regulatory changes relating to the Maryland Board for Professional Engineers and shared that both the Landscape Architects and Certified Interior Design Boards were granted a 10 years sunset extension and the Architects Board was granted a five year sunset extension.

Chairman Harclerode mentioned he is up for reappointment to the Board in July but has not heard anything yet. Mr. Thomas stated there is a delay in notification but all whose appointments that are not being renewed have been notified already.

**REPORT FROM BOARD COUNSEL**

Ms. Jessica Praley stated she met with the PE Board Chairman, the PE Board Executive Director regarding the bill sponsored by the Maryland Department of the Environment (MDE) that will require a permit to perform on-site wastewater services. She expressed the concerns of this Board to the representatives of MDE and states she is in constant communication with all parties. Ms. Praley informed the Board that SB0007 is already law. It was passed in 2022 and the amendments passed this legislative session. She also stated this is a new requirement and there are still questions on how this requirement will be implemented.

Chairman Harclerode asked if Professional Engineers could be exempt from this requirement. Ms. Praley is hoping to have an update on this issue by the May 11, 2023 Board meeting.

Mr. Hubner stated this should have come to the Board’s attention from the Maryland Society of Professional Engineers (MSPE) and the Board should have been included in the discussion in Committee. Mr. Hubner felt the Board’s position would be more effective if we had the backing of MSPE.

**CORRESPONDENCE - None**

**APPLICATIONS APPROVED ADMINISTRATIVELY FOR RECIPROCITY**

There were 24 applications, supported by NCEES Model Law Engineer records that were administratively approved for licensure.

**EXECUTIVE SESSION**

Motion (III) was made by Ms. Perrin, seconded by Mr. Mongan and unanimously carried to enter Executive Session at 10:08: a.m. at Meet google.com/ipm-pxny-hej or by phone 1-484-416-2276 (PIN 201 307 165#). This session was permitted to be closed pursuant to General Provisions Article, Annotated Code of Maryland, §3-305(b) (7).  Upon completion of the session, the Board reconvened its public meeting at 10:30 a.m.

**COMPLAINT COMMITTEE**

Mr. Rickert reported on the status of complaints discussed by the Complaint Committee April 13, 2023

16-PE-22 Pre-charge. Remain on report for tracking purposes only

18-PE-22 Pre-charge. Statute of limitations passed for criminal charges

02-PE-23 Pre-charge. Remain on report for tracking purposes only

08-PE-23 Pre-charge. Remain on report for tracking purposes only

10-PE-23 Pre-charge. Remain on report for tracking purposes only

12-PE-23 Pre-charge. Remain on report for tracking purposes only

13-PE-23 Pre-charge. Remain on report for tracking purposes only

14-PE-23 Complied with audit. Recommend close

15-PE-23 Pre-charge. Remain on report for tracking purposes only

16-PE-23 Pre-charge. Remain on report for tracking purposes only

17-PE-23 Pre-charge. Remain on report for tracking purposes only

18-PE-23 Pre-charge. Remain on report for tracking purposes only

19-PE-23 Pre-charge. Remain on report for tracking purposes only

21-PE-23 Opening letter sent March 23, 2023. Response due April 23, 2023

22-PE-23 New complaint.

23-PE-23 Pre-charge. Remain on report for tracking purposes only

24-PE-23 Pre-charge. Remain on report for tracking purposes only

The Board discussed one application for reinstatement and several audit reviews. Mr. Rickert mentioned the increased amount of random audits failures received whose cases were referred to the Complaint Committee. Some of the applicants did not respond to the audit, some obtained the required courses after they renewed the license and some were short of the 16 professional development hour requirement.

Motion (IV) was made by Mr. Farinas, seconded by Mr. Hubner and unanimously carried to accept the recommendations of the Complaint Committee.

**REINSTATEMENT APPLICATIONS**

The applications for reinstatement were discussed during the Executive Session.

**OTHER BUSINESS**

There was a discussion regarding timely renewals selected for a random audit to ascertain compliance with the continuing education requirements. Some applicants were submitting courses related to the laws and regulations applicable to the practice of engineering in other states. The Board discussed the issue of accepting such courses to satisfy the one professional development hour requirement in Maryland. Ms. Praley, Board Counsel, reminded the Board of what the regulations state:

A minimum of 1 PDH in each biennial licensing term shall be earned from the participation in the completion of qualifying programs with content related to the following:

* 1. The awareness of ethical concerns and conflicts related to the practice of engineering;
  2. An enhanced familiarity with the code of conduct for professional engineers;
  3. An understanding of standards of practice or care related to the practice of engineering; or
  4. Law and regulations applicable to the practice of engineering in Maryland.

Mr. Thomas asked if the Board could use some discretion when accepting courses required by other states that are not specific to Maryland. Most Board members agreed that discretion should apply but not in every case when the laws and rules are not specific to Maryland.

The Board asked Ms. Courtney what the procedure in the past regarding this issue has been. Ms. Courtney stated that the Audit Specialist, Ms. Dara Moore, advises the licensee to take the free online MD Board Ethics course to satisfy that one professional development hour requirement in this area but allows the licensee to otherwise get credit for similar courses not specific to Maryland law and ethics.

Motion (IV) was made by Mr. Hubner seconded by Mr. Farinas and unanimously carried to not accept a course in engineering laws and rules from another state to satisfy the one professional development hour that is required in the regulations.

Mr. Hubner also asked for clarity on first renewals being exempt from reporting continuing education. The regulations do not make a distinction if this exemption relates to persons who are licensed by examination or reciprocity. After reviewing the regulations, it was determined that this exemption is for all Professional Engineers in Maryland regardless of how they obtained their initial license.

The next Board meeting is scheduled for Thursday, May 11, 2023.

**ADJOURNMENT**

Motion (V) was made by Mr. Rickert seconded by Mr. Farinas and unanimously carried to adjourn the meeting at 10:52 a.m.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ With Corrections                     \_\_\_\_\_\_\_\_\_X\_\_\_\_\_\_\_\_ Without Corrections

Signed by: Howard C. Harclerode Date: May 11, 2023

                  Board Chairman