**MINUTES**

**BOARD FOR PROFESSIONAL ENGINEERS**

**Date:**  October 12, 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:** Sallye Perrin, P.E., Chairman

Howard (Skip) Harclerode, P.E., Vice Chairman

 Pastor Farinas, P.E.

Karl Rickert, P.E

 Judi Miller, R.A.

**Others Present:** Raquel Meyers, Assistant Executive Director

 Matthew Venuti, AAG, Board Counsel

 Ruby Courtney, Board Administrator

 Dorian Price, Administrative Specialist

 Dara Moore, Audit Specialist

 Robert Engel, Exam Applicant

 Mike Lenhart

 N. Driban

 Dylan McAndrew

**Absent:** Dhrubajyoti Biswas, P.E.

 Edward Hubner, P.E., Secretary

 Zevi Thomas, Executive Director

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**CALL TO ORDER**

The Board Chair, Ms. Perrin, called the meeting to order at 9:34 a.m.

**APPEARANCE OF AN EXAM APPLICANT**

Mr. Engel appeared before the Board to appeal the denial of his application for the Principles and Practice of Engineering exam. He applied under §14-305 (b) which requires graduation from a college or university on completion of a 4-year curriculum in engineering, or its equivalent, that the Board approves, passing of an examination in the Fundamentals of Engineering, and at least four years of work experience in engineering that is satisfactory to the Board. He explained that he began working for his current company in January 2019 but did not obtain his bachelor’s degree in civil engineering from the University of Maryland – College Park until May 2022.

Mr. Engel stated he understood that the Board’s policy is to not count any engineering work experience prior to the qualifying degree is conferred but he explained that he did the very same work that other engineers did which he already obtained a degree and requested that the Board reconsider approving him for the exam.

Mr. Lenhart, who is the endorser of work experience submitting on behalf of Mr. Engel, also spoke and asked that the Board reconsider approving Mr. Engel to take the exam.

Mr. Rickert stated that it has been the policy of the Board to not accept any engineering work experience prior to the qualifying degree being conferred and that he was in the same situation in the past but none of his work experience prior to his qualifying degree was considered.

Ms. Perrin informed Mr. Engel that his application would be discussed in the Executive Session and he would be informed of the Boards decision shortly after the meeting.

**APPLICATIONS APPROVED BY THE BOARD**

A vote will be taken on the applications reviewed after the Executive Session.

**ACTION ON MINUTES**

Motion (I) was made by Mr. Harclerode, seconded by Mr. Rickert, and unanimously carried by the Board to approve the minutes of the September 14, 2023 Board meeting as submitted.

**NEW BUSINESS**

**Report on the Joint Chairs Meeting**

Ms. Perrin reported that the Overlapping Practice Guide was discussed at the September 27, 2023 Joint Chairs meeting. She asked if the Board wanted to add to the supplement the Architects Board is working on in order to provide a more descriptive scope of the Practice of Engineering. This issue will be addressed at the November 9, 2023 Board meeting when Mr. Hubner is present and prepared to present his recommendations.

Ms. Perrin also informed the Board that all of the Design Boards are reviewing their fee structure. She suggested that the Board consider implementing an administrative fee for continuing education audits, which are problematic. She informed the Board that the Louisiana Board charges a $200 administrative fee for an audit, which requires an extensive amount of time to process. She suggested possibly having some of the fine assessed to audit failures and used as an administrative fee for the Board since all of the disciplinary fees go to the General Fund. The Board agreed to table this topic and discuss this issue further at the November 9, 2023 Board meeting.

**OLD BUSINESS**

**Criminal Convictions**

The Board decided that they will continue their policy to not allow an applicant who is still on probation to obtain a license. The Board also agreed that disciplinary actions taken by the Board which are practice related remain on the website indefinitely and are reportable.

**Overlapping Practice Guide (MD State Architect’s Board Handbook for Code Officials)**

Mr. Hubner was unable to attend this meeting. This issue will be tabled and discussed at the November 9, 2023 Board meeting.

**Reinstatements for Licenses Lapsed More Than Two Licensing Periods**

Mr. Rickert asked what is the status of the applications for reinstatement in which the license had lapsed more than two licensing periods who chose to either take two upper level engineering courses approved by the Board or who chose to work under a licensed Professional Engineer for one year. He was concerned that he had not seen any of these applications. Ms. Moore reported that a few have been processed. Mr. Rickert stated the Complaint Committee needs to see the Reports of Professional Experience submitted in these cases and the Board members agreed that this will be the process going forward.

**Updating of the Website – Continuing Education Requirements**

Mr. Rickert requested an update on the changes made to the website regarding when continuing education must be completed. The Board agreed that at the time of renewal, the applicant is certifying that they have completed their continuing education. The Board feels that changing the requirement to the date that the license expires is too complicated. Mr. Rickert stated the goal is to have the website consistent with the regulations. Ms. Perrin asked Mr. Venutti to review the regulations regarding when continuing education credits are due and report back to the Board and to review that website to make sure the website is consistent with our regulations and possibly make recommendations for changes to the CPC regulations if needed.

**CONTINUING PROFESSIONAL COMPETENCY (CPC) COMMITTEE REPORT**

Motion (II) was made by Mr. Harclerode, seconded by Mr. Farinas, and unanimously carried by the Board to approve the CPC Provider application of TransCen, Inc. – Mid-Atlantic ADA Center.

**REPORT FROM ETHICS COMMITTEE**

The Board members reviewed the changes to the Board sponsored free Ethics course. Some Board members had issues with hearing the voice over but were able to read the PowerPoint presentation. Mr. Rickert found an error in the PowerPoint presentation but cannot recall where he found the error. He stated he would look for the error and send his comment to the Board. Overall, the Board liked the use of AI for the voice over since it will allow changes to be made easier than changes to a human voice.

Ms. Perrin stated the LA Board Ethics course is read to the attendee as well and asked all Board members who had not yet done so listen to the presentation, review for accuracy and report back to the Board at the next meeting.

**REPORT FROM EXECUTIVE DIRECTOR**

Ms. Meyers reported that the upcoming State of Council NCEES meeting is virtual and will be on October 25, 2023 at 2 p.m. She also reported the 2023 -2024 NCEES Committee on Awards deadline is January 21, 2024 and that awards will be presented at the NCEES 103rd Annual Meeting in August 2024 in Chicago.

Ms. Meyers also confirmed which that Ms. Perrin) and Mr. Harclerode will be attending the Chesapeake Water Environment Association, Young Professionals Committee – EIT/PE Virtual Panel being held on October 18, 2023 from 7-8 p.m.

Ms. Meyers also informed the Board that Ms. Courtney has prepared statistics for all exam applicants who applied under §14-305 (d) from January 2017 to the present.

The Board reviewed the statistics and determined they need more information. Ms. Perrin asked that NCEES be contacted to find out the pass rate for examinees who have been out of school for 15 years or more. She explained the purpose of keeping these statistics to the new Consumer Board member. The Board is trying to determine if every candidate for the PE exam should be required to pass the Fundamentals of Engineering (FE) exam and if all applicants should be required to have an engineering degree.

Ms. Perrin noted that based on the pass rate, we are not flooding the industry with unqualified Professional Engineers. She also asked if the pass rate for the FE and PE exams could be obtained from NCEES by discipline and if the number of applicants for the exam in MD per year can be obtained. Ms. Courtney stated she would reach out to the Mr. Thomas to obtain these statistics.

Mr. Rickert asked if these statistics included what discipline the exam was taken in and is curious to know what section of the law an individual is licensed under when it comes to complaints.

**REPORT FROM BOARD COUNSEL**

Mr. Venutti reported that no comments were received on the number of years required to serve on the Board.

He also reported that action can be taken on continued failure to respond to the Board. He informed the Board that a license can be reprimanded, suspended or revoked but that a hearing will have to take place first. He was questioned by the Board on how a hearing is held when an applicant fails to respond. He stated that a hearing can take place in the absence of the applicant. A process will be put in place for the Complaint Committee to take action on applicants who fail to respond.

**CORRESPONDENCE**

**Email from the Hawaii Board regarding State License Experience Requirements**

The Board received an email from Dan Hirota, PE, PLS on behalf of the State of Hawaii’s Board of Engineers, Architects, Surveyors and Landscape Architects regarding a situation they are experiencing. Their City and County of Honolulu ‘s Department of Planning and Permitting has initiated a bill before the Legislature hoping their plan examiners can obtain PE licensure, resulting in them obtaining a higher pay grade. Their intent is to attract more applicants and retain more of their plan reviewing employees. They are proposing in this bill that the experience of reviewing plans counts towards the experience required to obtain a PE license. The concern of the Hawaii Board is that once an individual gets licensed, they may leave to practice on their own and start stamping drawings without any real design experience.

The Hawaii Board wanted to know what the MD Board’s position is on this issue and if our state regulations allow this type of experience to fully or partially count towards the work experience requirement.

The Board stated that experience in MD must be endorsed by a Professional Engineers and the application for licensure must be approved by the Board and that the applicant must pass the Principles and Practice of Engineering (PE) exam. Mr. Farinas stated that none of his drawings or plans were reviewed by a licensed Professional Engineer and that there are excellent plan reviewers who do not hold a PE license. The Board asked that Mr. Thomas respond to the Hawaii Board.

**APPLICATIONS APPROVED ADMINISTRATIVELY FOR RECIPROCITY**

There were 46 applications, supported by NCEES Model Law Engineer records that were administratively approved for licensure.

**EXECUTIVE SESSION**

Motion (III) was made by Mr. Harclerode, seconded by Mr. Rickert and unanimously carried to enter Executive Session at 10:49 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 11:38 a.m.

**COMPLAINT COMMITTEE**

Mr. Rickert reported on the status of complaints discussed by the Complaint Committee October 12, 2023:

16-PE-23 Consent Order signed and fine paid. Recommend Close

21-PE-23 Still under investigation

26-PE-23 Still under investigation

27-PE-23 Consent Order signed and fine paid. Recommend Close

33-PE-23 Extenuating Circumstances – Recommend Close

34-PE-23 Reopening complaint - Investigating

39-PE-23 Response received August 21, 2023. Investigating

04-PE-24 New Complaint – Investigating

05-PE-24 New Complaint – Contractual Issue. Recommend Close

Mr. Rickert reported on the status of complaints that are only on the report of pre-charge review:

13-PE-23 Remain on report as pre-charge for tracking purposes only

14-PE-23 Remain on report as pre-charge for tracking purposes only

23-PE-23 Remain on report as pre-charge for tracking purposes only

24-PE-23 Remain on report as pre-charge for tracking purposes only

28-PE-23 Remain on report as pre-charge for tracking purposes only

29-PE-23 Remain on report as pre-charge for tracking purposes only

30-PE-23 Remain on report as pre-charge for tracking purposes only

32-PE-23 Remain on report as pre-charge for tracking purposes only

06-PE-24 Remain on report as pre-charge for tracking purposes only

07-PE-24 Remain on report as pre-charge for tracking purposes only

08-PE-24 Remain on report as pre-charge for tracking purposes only

The Complaint Committee discussed the review of one application for reciprocity with a conduct issue. The transcript of the court case has been received and reviewed by the Complaint Committee which recommends denying the application for licensure by reciprocity at the time and suggests the applicant reapply once they have completed the court ordered probation. The Complaint Committee reviewed an application for reinstatement with a conduct issue. The Committee wants an update on the status of the action taken by both the MN and OH Boards.

The Complaint Committee discussed three applications for reinstatement. A fine was recommended for one applicant for signing a sealing one document, and the Committee recommends the approval of the other two applications.

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

**APPLICATIONS APPROVED BY THE BOARD**

Motion (V) was made by Mr. Harclerode, seconded by Mr. Farinas and unanimously carried to approve 15 applications for reciprocity, two applicants for PE Licensure by Transfer of Grades and 19 applications for the Principles and Practice of Engineering Examination. That same motion requested additional information from two exam applicants and to deny one reciprocity applicant for not meeting our licensing requirements.

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

Alirezaei Abyaneh, Roya (31797) Getachew, Abraham (36718)

Alvi, Zohaib A. (61798) Kurilla, Iosif (61803)

Bagheri, Abdollah (61799) Nookala, Ashritha R. (61805)

Beck, Kevin P. (61800) Oliver-Commey, Yolanda A. (61806)

Cribben, Joseph F. (61801) Roche, Gregory M. (61807)

Delgado, Lider (61802) Spencer, Austin R. (61808)

Donlon, Lisa M. (61804) zubaidi, Samer (61809)

Faruque, Asm G. (54705)

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

Ben-Gera, Tal (61810) Zahabi, Mehrzad (61811)

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

Adamu, Nfor G. Qureshi, Sheharyar S.

Bechtol, Gregory R. Ramkissoon, Heimraj R.

Dalton, Alba R. Ramkrishnan, Suresh Magaraj

Eid, Jenny Rivers, Jordan A.

Hertling, Britta-Maria Shao, Mingjun

Kinyua, Maureen Vogel, Daniel H.

Lacoste, Allyson A. Watkins Jr, Walter B.

Lemma, Meron W. Yousufzai, Elyas K.

Litzins, Kristaps H. Zeller, Adam S.

Nelson, Alyssa M.

**OTHER BUSINESS**

Mr. Harclerode mentioned he had not received any notification from ABET regarding the upcoming ABET review for Johns Hopkins University. Ms. Meyers agreed to look into this issue and report back to Mr. Harclerode.

The next Board meeting is scheduled for Thursday, November 9, 2023.

Ms. Perrin may not be able to attend the November 9, 2023 Board meeting but will inform the Board members when she is sure of her travel plans.

**ADJOURNMENT**

Motion (VI) was made by Mr. Harclerode, seconded by Mr. Farinas and unanimously carried to adjourn the meeting at 11:46 a.m.

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Signed by: Sallye Perrin Date: November 9, 2023

                  Board Chairperson