**MEETING MINUTES**

**BOARD FOR PROFESSIONAL ENGINEERS**

**Date:**  November 9, 2023

**Time:** 9:00 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

Edward Hubner, Secretary, P.E.

Pastor Farinas, P.E.

Karl Rickert, P.E

Dhrubajyoti Biswas, P.E

Judi Miller, R.A.

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

Matthew Venuti, AAG, Board Counsel

Ruby Courtney, Board Administrator

Dorian Price, Administrative Specialist

Dara Moore, Audit Specialist

R. Matthew McKinney

Yubraj Pandey

**Absent:** None

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**CALL TO ORDER**

The Board Chair, Ms. Perrin, called the meeting to order at 9:04 a.m.

**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 October 12, 2023 Board meeting as submitted.

**NEW BUSINESS**

Mr. Thomas provided the Board with the proposed fee increases and stated there was a moratorium in the past which did not allow fee increases. He stated the fee increases are limited to 12% and a fee for the engineering firm permit has been added. The firm permit fee aligns with the firm permit fees for all the other Design Boards. Mr. Thomas stated the agency needs a vote from the Board approving the fee increase.

Mr. Hubner asked the reason for the fee increase and voiced his concern that licensees will still have to pay a separate fee to get a license verification in Maryland. Ms. Miller agreed with Mr. Hubner asking for the justification for the fee increase. She stated that the budget usually is used to substantiate the reason for the fee increase. Mr. Hubner stated if there is a budget surplus, it may seem enticing, and funds may be diverted from the PE Board.

Mr. Thomas stated the fees at the surrounding states were reviewed and Maryland has the lowest license fees in the region. In addition, he mentioned that some states may not charge a fee for verification of licensure and/or exams because that fee may be incorporated into a higher license fee.

The Board Chair stated the agency (Labor) will soon move into a new building and the rent and parking are projected to increase.

Mr. Thomas stated that historically, the PE Board has funded the smaller Design Boards since those boards often operate at a deficit and that the PE fund does have a surplus, but it has decreased from previous years given the increased operational cost since 2012.

Motion (II) was made by Mr. Rickert, seconded by Mr. Harclerode, and unanimously carried by the Board to increase fees for the PE Board and to add a fee for the Engineering Firm Permit.

**OLD BUSINESS**

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

Mr. Hubner asked Mr. Thomas to resend him a copy of the MD Architect’s Board Handbook for Code Officials so he can be prepared to report at the December 14, 2023 Board meeting.

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

Motion (III) was made by Mr. Harclerode, seconded by Mr. Rickert, and unanimously carried by the Board to approve the CPC Provider applications of CV, Inc. and Westlake Pipe and Fittings.

**REPORT FROM ETHICS COMMITTEE**

Mr. Rickert found an error in the number of hours required for continuing education in the PowerPoint Ethics presentation and brought it to the attention of the Board. Mr. Hubner will make the correction. He noted there are two case studies with no conclusions. Mr. Harclerode mentioned that he has taught ethics courses in the past, which included case studies with a summary of the answers. Mr. Rickert agreed to review the case studies that are part of the Maryland Board free Ethics course and submit conclusions for the Board to review for the December 14, 2023 Board meeting.

Mr. Hubner asked that Mr. Thomas work with the IT department to ensure that the entire online course is completed, including the exam questions at the end of the presentation for users to receive PDH credit.

**INTRODUCTION OF MATTHEW MCKINNEY**

Mr. Matthew McKinney joined the meeting and introduced himself to the Board. He stated he is the liaison with Annapolis on legislative issues and handles the appointments for members of the Boards within Occupational and Professional licensing.

**REPORT FROM EXECUTIVE DIRECTOR**

Mr. Thomas stated he was attending the meeting virtually because he’s attending the Council for Certified Interior Design Boards Annual meeting being held in Louisville, KY this weekend.

Mr. Thomas informed the Board that last Friday he met with a representative of the UK Embassy to discuss the prospects of a mutual recognition agreement between US States and the United Kingdom. The representative wanted to learn more about the acceptance of the exam given to Professional Engineers in the UK and reciprocity. In addition, he shared that the UK mission has held meetings with other State Boards on this topic.

Mr. Rickert stated if they could demonstrate their exam is comparable to the NCEES Principles and Practice of Engineering (PE) exam, the Board may consider it. Mr. Harclerode stated that they should let NCEES be the clearinghouse. Mr. Hubner agreed and stated that NCEES handling this could facilitate this process.

Mr. Thomas stated that the Board of Architects recently went through a similar process and deferred to the Mutual Recognition Agreement established by the National Council of Architectural Registration Boards (NCARB). Also he noted that the PE Statutes currently contain provisions that allow for “foreign country” licenses. It is the consensus of the Board that NCEES evaluate the exam.

Mr. Thomas mentioned the call for NCEES Distinguish Service Awards is due January 31, 2024.

Motion (IV) was made by Mr. Harclerode, seconded by Mr. Rickert, and unanimously carried by the Board to nominate Mr. Farinas for the award.

Mr. Thomas also reported that Ms. Raquel Meyers has taken an interim position as Acting Executive Director of the Real Estate Board. The Board members congratulated Ms. Meyers on her new position.

Mr. Thomas also mentioned that he received a request for a hearing from a denied reciprocal applicant. Mr. Venuti stated this is a formal hearing.

Mr. Rickert asked why the Board meeting time moved from 9:30 a.m. to 9:00 a.m. Mr. Thomas stated there is a conflict with one of the Board members who has a job related standing meeting on the 2nd Thursday of each month. Mr. Thomas asked if the members of the Complaint Committee were willing to temporarily change the meeting day, since we’ll be operating without an Assistant Executive Director and this could help staff to facilitate both meetings. Mr. Rickert would still prefer for the Complaint Committee meeting to be in person. Mr. Rickert proposed the Complaint Committee meeting on Wednesday, December 13, 2023 at 8:00 a.m. and asked that Mr. Thomas check the availability of the Boards counsel, Mr. Dominguez. The Complaint Committee stated they will need the documentation for the meeting no later than the Thursday prior to the meeting. Ms. Miller informed the Board she will be unable to attend the Complaint Committee meeting on December 13, 2023.

Mr. Thomas presented the Board with the statistics requested at the October 2023 Board meeting regarding PE exam takers. The Board members did not have time to review these statistics and will go over them at a later date.

**REPORT FROM BOARD COUNSEL**

Mr. Venuti reported that we are moving forward with the fee increases and that he has looked into changing the CPC language to “at the time of renewal” instead of “before the licensee’s expiration date”. He noted that the current language is for all of the Design Boards.

Mr. Rickert asked if the website has been updated yet and was adamant that the portal state “at the time of renewal”. He wanted to ensure that any person who certifies that they have completed the CPC and if not is subject to a $1500 fine. Ms. Miller asked if this process is the same for all Design Boards. Mr. Thomas confirmed that this process is similar for all Design Boards, and explained that most of our complaints are CPC violations and there are not a lot of practice issues. The Board Chair mentioned the Louisiana Board charges a fee for special audits. Mr. Ricket asked why there are no CPC failures for the month of November since we usually get a few.

Mr. Rickert suggested we go back to the way audit failures were dealt with in the past.

Mr. Hubner suggested Mr. Thomas contact the Delaware Board to inquire how they dealt with their audits.

Mr. Venuti stated the deadline to change any language to COMAR for this legislative session has passed so we would have to wait until February 2024 if this is how the Board would like to proceed on this matter.

**CORRESPONDENCE**

**Email Regarding Signing and Sealing Rules – Structure Magazine Article**

The Board received an email from D. Matthew Stuart who is conducting a survey of the continuing education requirements for structural engineers from all Professional Engineering Boards. The Board Chair agreed to take a look at the questionnaire.

**APPLICATIONS APPROVED ADMINISTRATIVELY FOR RECIPROCITY**

There were 52 applications, supported by NCEES Model Law Engineer records that were administratively approved for licensure.

**EXECUTIVE SESSION**

Motion (IV) was made by Mr. Rickert, seconded by Mr. Farinas and unanimously carried to enter Executive Session at 10:45 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 10:59 a.m.

**COMPLAINT COMMITTEE**

Mr. Rickert reported on the status of complaints discussed by the Complaint Committee November 9, 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

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

34-PE-23 Response received. Requesting calculations

39-PE-23 Investigating

03-PE-24 Complaint Reopened. Request explanation from Respondent

04-PE-24 New Complaint – Opening letter sent. Response due November 20, 2023

09-PE-24 New Complaint – Reach out to Respondent

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

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

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

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

The Complaint Committee discussed the review of one application for reinstatement with a conduct issue. That applicant submitted proof that the suspension of his MN, OH and OK Boards have been lifted.

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

**APPLICATIONS APPROVED BY THE BOARD**

Motion (VI) was made by Mr. Rickert, seconded by Mr. Harclerode and unanimously carried to approve 29 applications for reciprocity, one applicant for PE Licensure by Transfer of Grades and 14 applications for the Principles and Practice of Engineering Examination. The same motion requested additional information from three reciprocal applicants and one exam applicant and to deny one applicant for examination for insufficient amount of engineering work experience.

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

Alemu, Benyan (61931) Moran-Puentes, Eduardo (61946)

Brown, Sherea (61932) Mukati, Gaurav S. (61947)

Elderamneh, Nidel S. (61933) Mukherjee, Shovon (55069)

Fares Sam S. (61934) Nunez, Jose I (61948)

Giannino, Julie A. (61935) Patel, Kishor (61949)

Gilronan, Shawn (61936) Ridge, Stephen C. (61950)

Gunduz, Mutlu (61937) Ruby, Justin (61951)

Habouh, Mohamed I. (62938) Sarmadi, Hamidreza (61952)

Hossain, Mosharraf (61939) Schlafman, Oscar G. (61953)

Hu, Kyle X. (61940) Sidhaye, Amit (61954)

Jain, Adarsh K. (61941) Speir, Richard H. (61955)

Jones, Eric J. (61942) White, Christopher (61956)

Mabrouk, Mohamed (61943) Xiao, Hua (61957)

Mason, Jeffrey P. (61944) Younossi, Zara (61958)

Mikhaylichenko, Ekaterina (61945)

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

Pandey, Yubraj (58507)

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

Alolad, Shane . Lopez, Elias M.

Balcha, Daniel K. Male, Darcy M.

Delos Reyes, Reynaldo L. Mauricci, Alexi E.

Ely, Jonathan P. Murphy, Kathryn F.

Hancock, Olivia M. O’Neill, Seni

Heidelbaugh, Austin N. Tolnay, Sara

Little, Kathryn L. Wingate, Ryan M.

**OTHER BUSINESS**

The next Board meeting is scheduled for Thursday, December 14, 2023 and may be virtual only depending upon the conditions of the building.

**ADJOURNMENT**

Motion (VII) was made by Mr. Harclerode, seconded by Mr. Farinas and unanimously carried to adjourn the meeting at 11:09 a.m.

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Signed by: Sallye Perrin Date: December 14, 2023

                  Board Chairperson