

MINUTES

STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS

Meeting Held
Thursday, May 15, 2008

Indiana Government Center South
402 West Washington Street, Rm. W064
Indianapolis, Indiana

I. CALL TO ORDER

Mr. Sauer called the meeting to order at 8:43 a.m. in 402 West Washington Street, Room W064, Indianapolis, Indiana and declared a quorum in accordance with IC § 25-31.

Members Present:

John Sauer, Chairman
Chris A. Gwaltney, Vice-Chairman
Harold Snead
Kenneth Spaulding
Mark Downey
Jim Erb

Members Not Present:

John Beery

Staff Present:

Angela Smith Jones, Board Director, Indiana Professional Licensing Agency
Mary Kate Adams, Assistant Director, Indiana Professional Licensing Agency
Jim Schmidt, Legal Counsel, Office of the Attorney General

II. ADOPTION OF THE AGENDA

Board Action: A motion was made to adopt the agenda as amended.

Downey/Spaulding
Motion carried 6/0/0

III. ADOPTION /AMENDMENTS TO THE MINUTES OF APRIL 17, 2008

Board Action: A motion was made to adopt the minutes of April 17th..

Snead/Gwaltney
Motion carried 6/0/0

IV. REPORT REGARDING CONSUMER COMPLAINTS FROM THE OFFICE OF THE ATTORNEY GENERAL By Liaison for the Board

Mr. Erb reported that he is very busy, but that there was nothing new to report.

V. BOARD DIRECTOR'S REPORT

1. Legislative Drafts due to Angela by the July meeting to be presented to the IPLA Legislative Team.

VI. ADVISORY COUNSEL REPORT

By Jim Schmidt

There is nothing to report.

VII. CONTINUING EDUCATION RULES 07-664

Discussion and Adoption of Final Version

Because there is a fiscal impact of greater than \$500,000 the board must have OMB comments before the rules can be adopted and since we do not have that we cannot adopt the rule today. The board agreed by principle that the rules as amended are acceptable to the board. If the rules are adopted and published with the publisher after August 1st then Jim Schmidt and Angela Smith Jones will amend the language accordingly to reflect the decrease in continuing education hours required or any other such amendments necessary to be fair to the licensees. Angela Smith Jones will amend the renewal notices language to reflect the fact that CE rules are being considered by the board and to put all engineers on notice of the new requirement.

VIII. PERSONAL APPEARANCES

A. Luay Subhi Esho

Mr. Esho made his appearance before the board to discuss the deficiencies in his application. He explained the difficulty in obtaining his records from the university due to the status of Iraq. He does hold licensure in 21 other states and would request the board take all of this into account in considering his application. The board believes he has not established that he is qualified and that he needs to take those courses. Mr. Esho withdrew his application.

B. Satish Dhodapkar

Mr. Dhodapkar made personal appearance to address the deficiencies in his application

Board Action: A motion was made to grant licensure based upon the additional information submitted which satisfies the deficiencies.

Downey/Erb
Motion carried 6/0/0

C. Bruce Bellen

Mr. Bellen made a personal appearance based upon the action taken by the Oklahoma board. The Oklahoma board reprimanded his license and assessed fines. The Indiana board would like to issue this license on probation in order to keep a watch on the licensee's activities for the next 12 months.

Board Action: A motion was made to place the license on probation granting Mr. Bellen the ability to seek withdrawal of probation in one year (12 months), that he must comply with the laws and rules of Indiana, and if he were to violate his probation the board could issue a show cause order.

Downey/Erb
Motion carried 6/0/0

Mr. Downey amended the motion to remove the recommendation for a probationary license and instead to issue the license without conditions. The motion died.

IX. PETITIONS FOR REVIEW

A. Glenn Tredinnick

Board Action: A motion was made to grant the petition for review.

Snead/Gwaltney
Motion carried 6/0/0

X. ADMINISTRATIVE HEARINGS

None.

XI. CONSIDERATION OF ADMINISTRATIVE LAW JUDGE ORDERS

A. In the Matter of Haseeb A. Ghuman

Administrative Cause No.: SBRPE 07-09

Re: Petitioner's application for registration as a professional engineer is denied.

(Brief received 5/8/08)

Board Action: A motion was made to affirm the ALJ proposed order.

Downey/Erb
Motion carried 6/0/0

XII. DELIBERATION AND POSSIBLE ISSUANCE OF FINAL ORDER

A. In the Matter of Apogee Consulting Group, P.A.

Cause No.: SBRPE 04-44

Re: Denial of Registration as a Professional Corporation

Board Action: A motion was made to remove the case from Mr. Fehribach and place the matter before the full board.

Snead/Spaulding
Motion carried 5/0/0 (Mr. Gwaltney was out of the room.)

Board Action: A motion was made to approve their application subject to them changing their name to P.C. or P.S.C. according to IC 23-1.5.

Snead/Spaulding
Motion carried 5/0/1 (Gwaltney abstained)

B. In the Matter of Christopher J. Dowse

Administrative Cause No.: SBRPE 08-02

Re: Denial of Registration as a Professional Engineer by Comity

Mr. Dowse had a hearing before the board on March 20th, 2008. He was given opportunity to submit additional information by May 2nd, 2008. The board considered this information, prematurely at the April board meeting and thus this matter is placed before the board again to give Mr. Dowse the full time to submit any additional information for the board's consideration.

Nothing new was submitted since April 11, 2008; however the board again reviewed the submitted information and file today. Upon review and discussion, Mr. Dowse remains denied as stated at the April meeting.

XIII. DISCUSSION ITEMS

A. Statute and Rules

Re: Possible Modifications

The board members directed staff to consider making specific changes to the CE statute. Mr. Gwaltney already mentioned modifying the code to include the term "activity", which would open up what would be allowable for satisfying the requirements.

B. Goal Setting

Re: Board Goal Setting

1. **The BS + 30:** The effective date is being moved for implementation in 2020, per the NCEES model law and will require legislation to put this into effect in Indiana.
2. **Comity:** Look at the NCEES model law.
The staff was directed to check the NCEES model law on-line.
3. **Investigators:** For the ENG Board.
The NCEES has training for investigators, but it is at the investigator's expense. The status of the investigative fund rules is that the NOI has been published and the fiscal impact is in the preparation, review phase.
4. **Communication:** Newsletter.
5. **Questions:** Does the NCEES hold or sponsor training for investigators?

Yes; however it is at the expense of the investigator.
6. **New Members:** Prepare for the future.
7. **Approved Programs:** How does the board evaluate the education and curriculum? This item is no longer needed on the agenda; see January 2008 minutes for details.

C. Work Experience

Re: Is Out of Country Experience Acceptable?

How do we confirm that the work experience is earned under a responsible in charge?

D. Mark Downey Comments

Re: Visit with the Architect Board

The meeting was very educational. There was really one issue regarding the past and how a complaint was dealt with when an engineer filed a complaint against a landscape architect. They would like there to be some coordinated effort between the two boards and the AG's office as to which board deals with the investigation. They would like any issues that come before the liaison for the Engineering board to include their board liaison. Jim reviewed the confidentiality code to the board.

E. Appointment of Delegate to NCEES Annual Conference

Re: Minneapolis, MN

Chris Gwaltney is the board delegate.

XIV. REVIEW OF PROBATIONARY REPORTS

A. SBRPE 02-03 Roland A. Klockow PE60017578 (Received 5/2/08)

Staff is to send a letter reminding him that he is eligible to petition for withdrawal of probation.

XV. CORRESPONDENCE

None.


XVI. PERMIT/LICENSURE APPLICATIONS

A motion was made and seconded to approve all recommendations and decisions made by the Board members on applications for licensure that were reviewed throughout the Board meeting.

Snead/Spaulding
Motion carried 5/0/0

XVII. ADJOURNMENT

There being no further business and having completed its duties, the meeting of the State Board of Registration for Professional Engineers adjourned at 3:10 p.m.



John Sauer – Chairperson
State Board of Registration for Professional Engineers

July 17, 2008
Date

PROFESSIONAL ENGINEER
BOARD MEETING
May 15, 2008

EIT APPLICANTS DENIED OR QUESTIONABLE

APPLICANT	APPROVED	TABLED	DENIED
	/	/	/
	/	/	/
	/	/	/

PE EXAM APPLICANTS DENIED OR QUESTIONABLE

APPLICANT	APPROVED	TABLED	DENIED
	/	/	/
	/	/	/
	/	/	/

PE COMITY APPLICANTS DENIED OR QUESTIONABLE

APPLICANT	APPROVED	TABLED	DENIED
Consumo, Nelson (previous tab)	✓	/	/
Talukder, Md Nurul (previous tab)	✓	/	/
Adhami, Jamal	/	✓	/
Baum, Edmund	/	✓	/
Becksvort, Calvin	✓	/	/
Verma, Anupam	/	✓	/
Funk, Mitchell	✓	/	/
Jensen, Wallace	✓	/	/
Shanahan, Timothy	✓	/	/
Zhong-Brisbois, Qun	/	✓	/
Hills, James	/	✓	/
Khedekar, Nikhil	✓	/	/
Ketcham, Dana	/	✓	/
Worah, Jitendra	✓	/	/
Livermore, Gary	/	✓	/
McKenzie, Scott	✓	/	/
Shollenbeger, Keith	/	✓	/
Farais, Rolando	/	✓	/
	/	/	/