



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

SHELLY EDGERTON
DIRECTOR

MICHIGAN BOARD OF PROFESSIONAL ENGINEERS January 12, 2017 MEETING

APPROVED MINUTES

In accordance with the Open Meetings Act, 1976 PA 267, as amended, the Michigan Board of Professional Engineers met on January 12, 2017, at the Ottawa Building, Conference Room 3, 611 West Ottawa Street, Lansing, Michigan 48933.

CALL TO ORDER

Kelly Fedele, Chairperson, called the meeting to order at 9:04 a.m.

ROLL CALL

Members Present: Kelly Fedele, Chair, Professional Engineer
Lori Fobes, Vice Chair, Professional Engineer
Daniel Acciavatti, Public Member
Charles Hookham, Professional Engineer
James Stevens, Professional Engineer

Members Absent: Cary Junior, Public Member
Michael Drewyor, Professional Surveyor
Troy Naperala, Professional Engineer

Staff: Belinda Wright, Manager, Licensing Division
Nakisha Bayes, Board Support, Boards and Committees Section
Ron Hitzler, Analyst, Boards and Committees Section
Kiran Parag, Analyst, Compliance Section

APPROVAL OF AGENDA

MOTION by Fobes, seconded by Acciavatti, to add Item 8D to the agenda to add Hitzler as an Associate Member of the Board.

A voice vote was taken.

MOTION PREVAILED

MOTION by Hookham, seconded by Fobes, to add Item 8E to the agenda to add NCEES discussion.

A voice vote was taken.

MOTION PREVAILED

APPROVAL OF MINUTES

MOTION by Stevens, seconded by Hookham, to approve the minutes from September 8, 2016 as presented.

A voice vote was taken.

MOTION PREVAILED

REGULATORY CONSIDERATIONS

Peter K. Theodorakakos

MOTION by Stevens, seconded by Fobes, to discuss.

A voice vote was taken.

MOTION PREVAILED

Discussion was held.

MOTION by Stevens, seconded by Fobes, to table the petition for relicensure until the next Board meeting. The Petitioner is to provide letters of reference from three professional engineers who are aware of the Petitioner's conviction and will attest to the Petitioner's practice as a professional engineer as well as the Petitioner's good moral character. In addition, the Petitioner shall provide two letters from personal references who are aware of his criminal conviction and will attest to his good moral character.

A voice vote was taken.

MOTION PREVAILED

OLD BUSINESS

CE Audit Status Update

Wright directed the Board to the Continuing Education Audit of 2016 Status Memo (see Addendum #1). Wright summarized the information in the document as it pertained to the Board.

Hitzler explained that the Board may want to create a suggested sanctions committee for continuing education to aid with establishing minimum sanctioning guidelines for continuing education deficiencies. He hopes to have all three of the Joint Design Boards create a minimum sanctions committee for continuing education.

Fedele appointed the task of suggested sanctions for continuing education to the pre-existing suggested (minimum) sanctions subcommittee. As Sherman has resigned from the Board, Fedele is joining the subcommittee.

COMMITTEE REPORTS

Minimum Sanctions

Hookham directed the Board to the Suggested Sanctions sheet. He reported that the minimum sanctions committee has been comparing their notes to other states to ensure consistency. Hookham also requested holding on to suggested sanctions and voting on them together with the continuing education sanctions at the next Board meeting.

Hitzler requested the Board vote on the suggested sanctions that were presented today; ~~and the continuing education additions can be added at the next meeting. This will ensure consistency for sanctions until the next meeting.~~ *the sanctions for licensees who are deficient in their continuing education requirements can be addressed at the next Board meeting. This will ensure consistency for sanctions until the next meeting.*

MOTION by Hookham, seconded by Fobes, to accept the suggested sanctions as presented.

Discussion was held.

A voice vote was taken.

MOTION PREVAILED

Rules Subcommittee

Hitzler explained he needs a vote from the Board to open the rule set. This will enable to Board to begin making revisions and editorial changes to the rules.

MOTION by Acciavatti, seconded by Stevens, to open the rule set.

A voice vote was taken.

MOTION PREVAILED

NEW BUSINESS

Board Member Resolution

Randall C. Sherman resigned from the Board on January 3, 2017. Fedele read the resolution thanking Sherman for his service to the Board.

Chairperson's Report

Fedele inquired if Licensing may be able to provide the Board with information regarding how many licensed professional engineers are practicing and how many complaints about licensees they are finding.

Wright will provide an update at the next meeting. She also explained the information is available via the Michigan.gov website and is updated monthly.

Parag will forward the request for number of complaints to his manager.

Fedele communicated some frustration with trying to get clarification on the February NCEES meeting. She contacted BPL twice requesting information regarding attendance and did not receive a response. Fedele would like to ensure that the Board is receiving up-to-date information regarding NCEES meetings.

Department Update

Wright explained Senate Bill 954 was approved on January 3, 2017. It will go into effect around April 3, 2017. The bill is known as Public Act 435 of 2016. As a result of the Act, MCL 339.2004 was amended and MCL 339.2005 was repealed. The Act has eliminated the 10 year time frame to take the examination. Applicants can now apply when they are prepared for licensure. The exam applications will be held for one year.

Wright also explained Articles 1 and 2 of the Occupational Code have been revised via Public Act 502 of 2016. The Act sets guidelines for continuing education waiver options as well as enabling the Department to communicate electronically.

Addition of an Associate Member

MOTION by Acciavatti, seconded by Stevens, to add Ron Hitzler as an associate member of the Board of Professional Engineers.

A voice vote was taken.

MOTION PREVAILED

NCEES Discussion

Hookham reported that he has been re-appointed to the Technology Task Force for NCEES. He explained that the Model Code is being left to the states to enforce as they feel appropriate. Two primary topics that were covered were drone usage and the building information model. Hookham is reviewing SB 992 in regard to drone use and will follow up. The building information model is a database that is used in the engineering industry. The model is a "live" model. It is updated as it moves from one phase of a project to another. The task force is working on establishing some rules and recommendations for the model.

PUBLIC COMMENT

William P. Magliocco addressed the Board with frustrations he has been having with locating suitable employment that will accept his experience. Mr. Magliocco explained to the Board that his experience as an engineer has been in the broadcasting industry. He explained that he has taken the exams required to practice.

Fedele explained that Mr. Magliocco will need to be in contact with Licensing, the Board is unable to provide assistance.

ANNOUNCEMENTS

The next regularly scheduled meeting will be held May 10, 2017 at 11:00 a.m., following the Joint Design Board meeting at 9:00 a.m. in the Ottawa Building, 611 W. Ottawa Street, Upper Level Conference Center, Conference Room 3, Lansing, Michigan.

ADJOURNMENT

MOTION by Acciavati, seconded by Fobes, to adjourn the meeting at 10:55 a.m.

A voice vote was held.

MOTION PREVAILED

Minutes approved by the Board on May 10, 2017.

Nakisha Bayes, Board Support
Bureau of Professional Licensing

Date Minutes Prepared: 1-13-2017

Addendum
#1



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

SHELLY EDGERTON
DIRECTOR

Memorandum

DATE: January 10, 2017
TO: Board of Professional Engineers
FROM: Belinda Wright, Licensing Manager
BPL – Licensing Division, Occupational Code Section
SUBJECT: Continuing Education Audit Status

The following represents the total number of continuing education audits initiated on October 2016 for the Professional Engineer licensees covering the audit period of November 1, 2013 – October 31, 2015.

The first Notice of Audit was mailed on October 10, 2016, wherein the licensee had 30 days to provide the required documentation. On November 23, 2016, a second Notice of Audit was mailed to the licensees who did not respond or had any noted deficiency in the submission to the Department.

Profession	Total Number Audited	Total Number Deficient	Number of with "No Responses"	Total % Deficient
Engineers	267	40	10	15%
Surveyors	23	5	0	22%
Architects	76	20	6	26%
Total	366	65	16	18%

Attachments



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

SHELLY EDGERTON
DIRECTOR

October 10, 2016

«NAME»
«ADDR_LINE_1»
«ADDR_LINE_2»
«CITY», «STATE» «ZIPCODE»

License Number: «LICENSE_NO»

NOTICE OF CONTINUING EDUCATION AUDIT

Dear Licensee:

Your license number has been randomly selected by the Department for an audit of licensees who have renewed their **Professional Engineer** license through October 31, 2017. If you have any questions about the continuing education requirements, please visit our website at www.michigan.gov/engineers, or call our office at (517) 241-9288. The excerpt of the administrative rules for professional engineers is attached for your convenience.

You are required to submit the following:

- Proof of your attendance or participation that you earned the required hours of continuing education activities (CE) in subjects relative to the engineering profession during the two-year period of **11/01/2013 to 10/31/2015**.
- If you have held your license for 12 months to 24 months from the date of initial licensure, you must provide proof of 15 hours of CE.
- If you have held a license for 24 months or more from the date of initial licensure, you must provide proof of 30 hours of CE.
- Continuing education hours may have been acquired in another jurisdiction.
- Detailed information on the acceptable courses or activities may be found in the administrative rules R 339.16040-R 339.16044 (attached).
- Verification of attendance/participation at a course or activity, such as completion certificates, transcripts, or supporting documentation must include your name, the dates when the courses or activities were held, sponsoring organization, instructor's name or speaker's name, and the hours earned. Any spreadsheets or logs of CE submitted must include the corresponding certificates.

Retain all original certifications for your files. All documentation submitted to our office will become the property of the Department and will not be returned.

Submit your documentation with a copy of this letter no later than 11/09/2016 to:

Michigan Department of Licensing & Regulatory Affairs
BPL/Occupational Code Section
P.O. Box 30870
Lansing MI 48909-8170

Failure to respond within 30 days will result in your file being forwarded to BPL Legal Affairs Division for possible license sanctions.

Sincerely,

Bureau of Professional Licensing
Licensing Division
Occupational Code Section
BPLHelp@michigan.gov

BUREAU OF PROFESSIONAL LICENSING
611 W. OTTAWA • P.O. BOX 30870 • LANSING, MICHIGAN 48909
www.michigan.gov/bpl

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
DIRECTOR'S OFFICE

PROFESSIONAL ENGINEERS – GENERAL RULES

PART 4. CONTINUING EDUCATION

R 339.16040 Continuing education; license renewal; requirements.

Rule 40.

- (1) A licensee shall obtain continuing education, as specified in R 339.16042.
- (2) A licensee shall certify the completion of continuing education requirements as a condition for licensure renewal in a format prescribed by the department.
- (3) The department shall not renew a license if the continuing education requirements have not been completed.
- (4) A licensee shall submit to the department evidence of fulfillment of the continuing education requirements within 45 days of a request from the department for the evidence to be submitted.

R 339.16041 Acceptable continuing education; limitations.

Rule 41.

- (1) Continuing education hours may be acquired in another jurisdiction.
- (2) Continuing education hours shall be relevant to the occupation and may be earned as follows:
 - (a) Successfully completing a college course.
 - (b) Successfully completing a continuing education course.
 - (c) Successfully completing a distance learning course.
 - (d) Presenting or attending a seminar, in-house course, workshop, or professional or technical presentation made at a meeting, convention, or conference.
 - (e) Teaching, instructing, or presenting an acceptable course or activity listed in subrule 2(a) to (d) of this rule.
 - (f) Publishing a peer-reviewed paper, article, or book in the licensee's area of professional practice.
 - (g) Serving as a member of the state board of professional engineers or attending a state board of professional engineers meeting.
 - (h) Participating in a company sponsored seminar or training that is designed to enhance professional development in the licensee's area of professional practice.
 - (i) Serving as a mentor to an engineering student in a school-sponsored program.
 - (j) Obtaining patents related to engineering.
- (3) Continuing education hours shall be granted once during a renewal period in which the hours were earned for the same course or activity that a licensee completed as either a licensee, instructor, or presenter.
- (4) Continuing education hours shall be granted once for the first time a course is offered or presented provided that the course is not associated with a licensee's regular duties as a member of a faculty.
- (5) Continuing education hours shall not be earned for any of the following activities:
 - (a) Passing an examination to obtain licensure.
 - (b) Completing a course that does not provide a licensee access to an instructor during the course.
 - (c) Completing a course that is not designed to bring licensees up to date on a particular area of knowledge or skills in the licensee's area of professional practice.
 - (d) Attending a cultural performance, entertainment, or recreational meeting or activity, or participation in a travel group.
- (6) The conversion of other units of credit per renewal cycle shall be as follows:
 - (a) 1 college semester credit hour equals 45 continuing education hours.
 - (b) 1 college quarter credit hour equals 30 continuing education hours.
 - (c) Publishing a peer-reviewed paper, article, or book in the licensee's area of professional practice equals 6 continuing education hours.
 - (d) Serving as a member of the state board of professional engineers or attending a state board of professional engineers meeting equals 2 continuing education hours.
 - (e) Serving as a mentor for an engineering student in a school-sponsored program equals 4 continuing education hours.
 - (f) Obtaining patents related to engineering equals 10 continuing education hours.

R 339.16042 Continuing education hours required; renewal.

Rule 42. Continuing education hours required for renewal shall be as follows:

- (a) A licensee who holds a license for more than 12 months, but less than 24 months from the date of initial licensure shall obtain 15 hours of continuing education for the first renewal period.
- (b) A licensee who holds a license for 24 months or more from the date of initial licensure shall obtain 30 hours of continuing education for the renewal period.

R 339.16043 Determination of credit; forms; record keeping.

Rule 43. A licensee shall maintain records of continuing education hours earned for 4 consecutive years. The records shall include the following:

- (a) The courses or activities completed, the dates when the courses or activities were held and the duration of the courses or activities, the sponsoring organization, the instructor's or speaker's name, and the hours earned.
- (b) Verification of attendance at a course or activity, such as completion certificates or other supporting documentation.

R 339.16044 Auditing.

Rule 44. The department may establish a process for auditing licensees regarding continuing education for compliance with the act and these rules.

History: 2013 AACSB.



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

SHELLY EDGERTON
DIRECTOR

November 23, 2016

«NAME»
«ADDR_LINE_1»
«ADDR_LINE_2»
«CITY», «STATE» «ZIPCODE»

License Number: «LICENSE_NO»

CONTINUING EDUCATION AUDIT - FINAL NOTICE

Dear Licensee:

As of today's date, the Department has not received a sufficient response to your audit notice that was sent on October 10, 2016. Your license number has been randomly selected by the Department for an audit of licensees who have renewed their **Professional Engineer** license through October 31, 2017. If you have any questions about the continuing education requirements, please visit our website at www.michigan.gov/engineers, or call our office at (517) 241-9288.

Enclosed is a detailed report of the accepted CE hours the Department has on record for you, the number of hours you are deficient, and the reason any documents you submitted could not be accepted.

You are required to submit the following:

- Proof of your attendance or participation that you earned the required hours of continuing education activities (CE) in subjects relative to the engineering profession during the two-year period of 11/01/2013 to 10/31/2015.
- If you have held your license for 12 months to 24 months from the date of initial licensure, you must provide proof of 15 hours of CE.
- If you have held a license for 24 months or more from the date of initial licensure, you must provide proof of 30 hours of CE.
- Continuing education hours may have been acquired in another jurisdiction.
- Detailed information on the acceptable courses or activities may be found in the administrative rules R 339.16040-R 339.16044.
- Verification of attendance/participation at a course or activity, such as completion certificates, transcripts, or supporting documentation must include your name, the dates when the courses or activities were held, sponsoring organization, instructor's name or speaker's name, and the hours earned. Any spreadsheets or logs of CE submitted must include the corresponding certificates.

Retain all original certifications for your files. All documentation submitted to our office will become the property of the Department and will not be returned.

Submit your documentation with a copy of this letter no later than **12/08/2016** to:

Michigan Department of Licensing & Regulatory Affairs
BPL/Occupational Code Section
P.O. Box 30670
Lansing MI 48909-8170

Failure to respond within 15 days will result in your file being forwarded to BPL Legal Affairs Division for possible license sanctions.

Sincerely,

Bureau of Professional Licensing
Licensing Division
Occupational Code Section
BPLHelp@michigan.gov

BUREAU OF PROFESSIONAL LICENSING
611 W. OTTAWA • P.O. BOX 30670 • LANSING, MICHIGAN 48909
www.michigan.gov/bpl

Licensee: [REDACTED]
License Number: 6201 [REDACTED]

Continuing Education Hours

Hours Required	Hours Accepted	Hours Deficient
30	15	15

Below are the reasons the documents you submitted could not be accepted by the Department:

- o All of the CE documentation provided, other than the *ASME Heating, Ventilation, and Air-Conditioning* course, were not completed during the license cycle from November 1, 2013 through October 31, 2015.