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COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS

F I N A L M I N U T E S

MEETING OF:

STATE ARCHITECTS LICENSURE BOARD

TIME: 10:02 A.M.

PENNSYLVANIA DEPARTMENT OF STATE
Board Room B
One Penn Center
2601 North Third Street
Harrisburg, Pennsylvania 17110

September 5, 2019

1 State Architects Licensure Board
2 September 5, 2019
3
4

5 BOARD MEMBERS:
6

7 John R. Hill, RA, President
8 Philip M. Leinbach, RA, Vice President
9 Katelin Lambert, Deputy Commissioner, Bureau of
10 Professional and Occupational Affairs, on behalf of
11 K. Kalonji Johnson, Acting Commissioner, Bureau of
12 Professional and Occupational Affairs
13 Adam Hough, Office of Attorney General, Bureau of
14 Consumer Protection
15 Douglas E. Carney, RA
16 Darryl R. Hamm, Public Member
17 Mary E. McClenaghan, RA
18 Jerry K. Roller, RA
19
20

21 BUREAU PERSONNEL:
22

23 C. William Fritz II, Esquire, Board Counsel
24 Robert B. Armour, Esquire, Board Prosecution Liaison
25 Andrew LaFratte, MPA, Department of State
26 Amanda Li, Board Administrator
27
28

29 ALSO PRESENT:
30

31 Anthony S. Potter, Esquire, Offit Kurman Construction
32 Law Practice Group
33 Amal Mahrouki, Director of Legislative Affairs,
34 American Institute of Architects Pennsylvania
35 Vern McKissick III, American Institute of Architects,
36 Architectural Licensing Examination Preparation,
37 Leadership in Energy and Environmental Design
38 Scott J. Compton, American Institute of Architects,
39 National Council of Architectural Registration
40 Boards, Leadership in Energy and Environmental
41 Design Accredited Professional
42 Gary Rutledge
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1 ***

2 State Architects Licensure Board

3 September 5, 2019

4 ***

5 The regularly scheduled meeting of the State
6 Architects Licensure Board was held on Thursday,
7 September 5, 2019. John R. Hill, RA, President,
8 called the meeting to order at 10:02 a.m.

9 Douglas E. Carney, RA, was not present at the
10 commencement of the meeting.

11 ***

12 Roll Call

13 [Roll call was taken. A quorum was noted to be
14 present.]

15 ***

16 Pledge of Allegiance

17 [The Pledge of Allegiance was recited.]

18 ***

19 Introduction of Audience Members

20 [President Hill requested visitors identify
21 themselves.]

22 ***

23 [John R. Hill, RA, President, reviewed the agenda,
24 noting a 10:00 hearing and an executive session to
25 discuss the hearing afterwards.]

1 ***

2 [A Formal Hearing was held from 10:07 a.m. until
3 11:40 a.m. in the case of the Application for
4 Reciprocal Licensure of Trina Lea Gribble, Case No.
5 19-41-009841.]

6 ***

7 [Douglas E. Carney, RA, entered the meeting during the
8 hearing at 10:22 a.m.]

9 ***

10 Approval of minutes of the July 11, 2019 meeting

11 PRESIDENT HILL:

12 I would like to start with approval of
13 the minutes from the July 11 Board
14 meeting. Have Board members had a
15 chance to review those and are there any
16 comments, corrections, additions, or
17 deletions to be noted?

18 MR. LEINBACH:

19 I'll make a motion to approve them as
20 issued.

21 MR. HAMM:

22 Second.

23 PRESIDENT HILL:

24 All those in favor of approving the
25 minutes as noted, say aye. Opposed?

1 [The motion carried unanimously.]

2 ***

3 Report of Board Counsel

4 [C. William Fritz II, Esquire, Board Counsel, informed
5 the Board that the regulation regarding electronic
6 seals was with the Office of General Counsel for their
7 review, along with engineers and landscape architects.

8 Mr. Fritz announced House Bill 1172, which is now
9 Act 41, was in effect. He noted the importance of
10 determining whether the other state requirements will
11 be considered substantially equivalent to
12 Pennsylvania. He commented that Act 41 adds to the
13 current reciprocal licensure avenue.

14 Mr. Fritz explained the difference between
15 reciprocal licensure and Act 41. He explained that
16 Act 41 comes into play when an applicant almost meets
17 qualifications and the Board would need to consider
18 competency and whether the applicant practiced at
19 least two of the last five years. He stated the
20 applicants who meet those standards would be granted a
21 provisional license up to 12 months and be required to
22 meet the qualifications that the Board set forth in
23 order to be granted a standard license.

24 Mr. Fritz developed a shell of the regulation for
25 the Board to review and fill in the blanks,

1 particularly under competency.

2 Mr. Roller questioned the difference between Act
3 41 as opposed to the normal requirements under Board
4 regulations. Mr. Fritz explained that applicants who
5 would not qualify for reciprocity may qualify under
6 Act 41 if they had practiced for the last two of the
7 last five years and demonstrate competency.

8 Ms. Lambert explained that applicants will go to
9 the Pennsylvania Licensing System (PALS) and answer a
10 series of survey questions, which will automatically
11 direct the applicant to the correct application type.
12 She stated there was no Act 41 application and
13 applicants would be directed to the reciprocity
14 application until regulations are set up over the
15 course of the next 18 months.

16 Ms. Lambert commented that the application will
17 be evaluated to under the Act 41, and if determined,
18 along with Board counsel, to qualify for Act 41, the
19 application would be sent to the application review
20 committee so the Board could make the determination
21 for a provisional license.

22 Mr. Leinbach commented that applicants with a
23 shortcoming may apply under Act 41 and provide
24 additional continuing education or what the Board
25 requires to meet qualifications in that 12 months and

1 get a full license.

2 Ms. Lambert stated the system will update the
3 checklist items once the Board determines regulations
4 and then it will become a separate application.

5 President Hill noted the Board's homework to
6 consider hypotheticals, where a qualification is not
7 one that would automatically be rejected but take some
8 thought, maybe short in years of experience.

9 Mr. Fritz referred to licensure by endorsement
10 under Act 41(a)(2), demonstrates competency by one of
11 the following. He noted this is where the Board will
12 have to decide the requirements for the regulation
13 specifically for this Board if the person qualifies
14 under Act 41 for a provisional license.

15 President Hill questioned whether the Board could
16 piggyback this with the current regulation update and
17 put the two together. Mr. Fritz commented that the
18 Board would probably try to avoid that because all of
19 these regulations are substantially the same for every
20 Board except for the section where the Board would
21 have to put their own mark on it.

22 President Hill suggested everyone look at the
23 blank shell for licensure by endorsement under Act
24 41.]

25

1 Regulations/Statute - No Report

2 ***

3 Applications - No Report

4 ***

5 Report of Deputy Commissioner

6 [Katelin Lambert, Deputy Commissioner, Bureau of
7 Professional and Occupational Affairs, on behalf of
8 Acting Commissioner, K. Kalonji Johnson, noted no
9 updates on Board vacancies at this time, but stated
10 the bureau will continue to monitor and work on that
11 matter.]

12 ***

13 American Institute of Architects Pennsylvania
14 Presentation

15 [Amal Mahrouki, Director of Legislative Affairs,
16 American Institute of Architects Pennsylvania,
17 addressed House Bill 163, which is a design-build
18 expansion bill for Pennsylvania's Procurement Code.
19 She commented that AIA was able to work with the House
20 and that was amended to be a straight repeal of the
21 Separations Act.

22 Ms. Mahrouki noted a companion bill, Senate Bill
23 823, was introduced that includes alternative delivery
24 methods. She stated AIA was currently scheduling
25 meetings to discuss their position and to quell the

1 expansion of certain design-build services and
2 entities for public work in the Commonwealth.

3 Ms. Mahrouki addressed House Bill 1497 regarding
4 interior design licensure. She noted it to be drafted
5 as a registration bill and was under the Office of the
6 Attorney General that includes sign and seal language
7 without the oversight of a Board, which AIA
8 Pennsylvania will be opposing.

9 Ms. Mahrouki stated the Practice Encroachment
10 Task Force will be discussing those two bills later in
11 the day.

12 Ms. Mahrouki discussed House Bill 1737 regarding
13 indemnification. She noted that AIA was looking to
14 make sure architects are included so they do not have
15 to hold other parties harmless for their own
16 negligence. She noted upcoming discussion with the
17 two prime sponsors of the bill this month.

18 Mr. Carney questioned whether one of the bills
19 still includes the change to the Separations Act.
20 Ms. Mahrouki explained that it includes a repeal of
21 the Separations Act and also includes alternative
22 project delivery methods outside of the design-bid-
23 build model for public product delivery. She noted
24 the biggest concern was this bill confuses the issue
25 of construction models versus design models. She

1 stated design-build, construction management at-risk,
2 design-bid-build with single-prime contractors, and
3 design-bid-bill with multi-prime contractor was
4 included.

5 Ms. Mahrouki also noted a concern with the way a
6 design-build entity is defined in the bill with the
7 authority that would be given to general contractors
8 and architects being subs to them.

9 Ms. Mahrouki stated Senate Bill 823 introduced by
10 Senator DiSanto was currently in Senate Labor &
11 Industry, noting the companion bill was House Bill
12 163. She stated the bill was amended in House State
13 Government and was in House Rules and reflects a
14 straight repeal of the Separations Act. She commented
15 that it would repeal the act from 1913, does not
16 include any alternative delivery methods, and would
17 just remove the mandate to have separate prime
18 contractors on public contracts.

19 Ms. Mahrouki thanked the Board for sending a
20 representative to the 2019 AIA Tri-State Conference.

21 Ms. Mahrouki mentioned AIA is hosting a Large
22 States Roundtable in Pittsburgh, September 19-21,
23 2019.

24 Ms. Mahrouki noted AIA award submissions close
25 later this month with posting of virtual awards on

1 November 14, 2019.

2 Ms. Mahrouki noted that marketing for the firms
3 fostering working professionals was wrapping up. She
4 commented that AIA was advocating firms to help their
5 employees on the path to licensure.

6 Mr. Hamm questioned the bill number regarding
7 interior designers. Ms. Mahrouki stated it is House
8 Bill 1497, introduced by Representative Frank Farry
9 and Representative Meghan Schroeder and currently in
10 the House Consumer Affairs Committee.

11 President Hill commented that the bill was also
12 in the Board minutes from the National Council of
13 Architectural Registration Boards (NCARB).]

14

15 Report of Prosecutorial Division

16 [Robert B. Armour, Esquire, Board Prosecution Liaison,
17 informed the Board of his retirement from the
18 Commonwealth on October 4, 2019. He announced that
19 Tiffany Raker will continue, and Ray Michalowski will
20 initially take over the liaison duties.

21 President Hill noted his appreciation and wished
22 Mr. Armour the very best in his next endeavor.]

23

24 Report of Board President

25 [John R. Hill, RA, President, referred to the

1 Architect Registration Examination (ARE) approvals and
2 questioned whether the request for additional
3 information was any further along.

4 Ms. Li commented that certified letters were
5 submitted to individuals who still had not applied,
6 except for one letter where there was no authorized
7 recipient available to accept it. She noted only one
8 candidate who did submit the preapproval application.

9 President Hill noted an email for the Board's
10 information regarding the San Francisco Institute of
11 Architecture degree solicitation for candidates, where
12 they say they can approve for licensure in a variety
13 of ways.

14 President Hill referred to PA House Bill 1497
15 regarding the Interior Designer Registration Act,
16 noting NCARB's Fast Facts for June has a brief
17 discussion of that bill.

18 Mr. Roller questioned whether there would an
19 opportunity to challenge this under the Governor's
20 recent initiative in terms of deregulating. President
21 Hill noted that to be a valid point because they are
22 adding more licensee requirements.

23 President Hill requested Mr. Leinbach update the
24 Board on regional activity.

25 Mr. Leinbach noted a rewrite of Region 1 bylaws

1 and rules that were sent to NCARB for recommendations
2 in trying to create consistency.

3 Mr. Leinbach noted the code officials and
4 legislators outreach was being initiated by Al
5 Zaccone. He noted a lot of activity with NCARB on
6 that and AIA. He noted prior discussion to get code
7 officials and legislators together to start that
8 dialogue. He noted the regional meeting via
9 teleconference the first Wednesday in November.

10 Mr. Leinbach will be gone for the Regional
11 Leadership Committee Meeting in Cambridge, MA, in the
12 middle of October for a couple of days and will be
13 laying out the plans for the regional meetings, spring
14 regional meeting.

15 Mr. Leinbach noted being on the Policy Advisory
16 Committee as part of the model law rewrite, where he
17 hoped to see a draft by the middle of the fall. He
18 mentioned voicing to NCARB and Dennis Ward, Chair of
19 Model Law, of not being excited to rush to support
20 something that there was not a reasonable amount of
21 time to review for consistency with NCARB's policies
22 and rules.

23 Mr. Roller mentioned that the sense of the
24 committee was to bifurcate two separate initiatives,
25 outreach to legislature and outreach to code

1 officials.

2 Mr. Leinbach added that there was a 50/50 split
3 of individuals saying code officials are more
4 important, legislators are more important with half
5 looking at the legislative aspects and the other one
6 dealing with code issues. He mentioned this comes
7 from how the different Boards were organized around
8 the country in the various jurisdictions, where some
9 have more of a direct connection with code officials
10 or legislature and feel they have a stronger avenue
11 and an advocate.

12 President Hill suggested keeping the newsletter
13 on the agenda to not lose sight of doing another one
14 next year.

15 President Hill noted Mary McClenaghan as the
16 Board's representative at the AIA Tri-State
17 Conference, who will be giving a presentation on
18 Pennsylvania's licensure.

19 President Hill noted NCARB correspondence from
20 Joshua Batkin regarding One New Idea to continue some
21 of the dialogue of trying to get new ideas toward the
22 profession and licensure.

23 President Hill addressed wall certificates for
24 licensees in Pennsylvania that are no longer being
25 issued, questioning whether there is anything that can

1 be done to get those back.

2 Ms. Lambert explained that issuing wall
3 certificates is time intensive and costly. She noted
4 the bureau is looking to see if there are services
5 available that could be use and is something the
6 commissioner is thinking about.

7 Mr. Hamm noted looking for a diploma or
8 certificate and license when entering a professional's
9 office of any type and that charging extra for the
10 certificate would not be a problem but should be an
11 option.

12 President Hill mentioned NCARB orientation for
13 new Board members and Member Board Executives next
14 February. He noted a variety of advocacies coming
15 together, which may be something that someone from the
16 Board would benefit from attending.

17 President Hill noted NCARB's Strategic Plan and
18 referred the Board to minutes from the last meeting
19 for information.]

20

21 Report of Board Administrator

22 [Amanda Li, Board Administrator, reported that 87.81
23 percent of architecture firms, 92.28 percent of
24 registered architects, and 76.7 percent of sole
25 proprietor architecture firms have renewed their

1 licenses as of August 20.

2 Ms. Li commented that a final renewal notice was
3 recently sent out to the licensees who had not
4 renewed.

5 Ms. Li noted the Fraud Awareness & Prevention
6 Training information to be signed and returned.

7 President Hill noted 2020 Board meeting dates,
8 where the Board chose May 7, 2020, instead of May 28,
9 2020, and will be confirmed on the calendar

10 Mr. Leinbach noted November 14, 2020, is a
11 Saturday and should be changed to November 12, 2020.]

12 ***

13 Miscellaneous

14 [Philip M. Leinbach, RA, Vice President, referred to
15 the Region 2 questionnaire for suggestions from the
16 Board regarding keynotes, speakers, format, or
17 anything the Board wants to see in the regional
18 meeting.

19 Mr. Hamm again mentioned the orientation NCARB
20 was planning in February for newly appointed Board
21 members and Member Board Executives. He noted that
22 two years ago NCARB did an orientation in concert with
23 the Council of Landscape Architectural Registration
24 Boards (CLARB). He noted expansion of licensing
25 groups to include CLARB, interior designers, Council

1 for Interior Design Qualification (CIDQ), and
2 engineers and surveyors. He will keep the Board
3 informed if he is asked to be a presenter this year.

4

5 [Pursuant to Section 708(a)(5) of the Sunshine Act, at
6 12:40 p.m. the Board entered into Executive Session
7 with C. William Fritz II, Esquire, Board Counsel, for
8 the purpose of conducting quasi-judicial
9 deliberations. The Board returned to open session at
10 1 p.m.]

11

12 MOTIONS

13 MR. FRITZ:

14 The Board met in executive session and
15 conducted quasi-judicial deliberations
16 on the following matter: The Board
17 would entertain a motion directing Board
18 counsel to draft a Memorandum Order
19 granting the Application of Trina Lea
20 Gribble, Case No. 19-41-009841.

21 MR. HAMM:

22 So moved.

23 MR. ROLLER:

24 Second.

25 PRESIDENT HILL:

1 I have a motion and a second. Is there
2 any further discussion on this item?
3 Hearing none. All those in favor, say
4 aye. Opposed?

5 [The motion carried. Ms. McClenaghan and Mr. Carney
6 opposed the motion.]

7 ***

8 [Jerry K. Roller, RA, thanked Robert Armour for his
9 years of service to the Board as a prosecuting
10 attorney.]

11 ***

12 Adjournment

13 PRESIDENT HILL:

14 I make a motion that the meeting be
15 adjourned.

16 Do I hear a motion?

17 MR. LEINBACH:

18 So moved.

19 MR. CARNEY:

20 Second.

21 PRESIDENT HILL:

22 We are adjourned. Thank you.

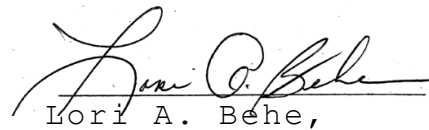
23 ***

24 [There being no further business, the State Architects
25 Licensure Board Meeting adjourned at 1:01 p.m.]

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CERTIFICATE

I hereby certify that the foregoing summary minutes of the State Architects Licensure Board meeting, was reduced to writing by me or under my supervision, and that the minutes accurately summarize the substance of the State Architects Licensure Board meeting.



Lori A. Behe,

Minute Clerk

Sargent's Court Reporting
Service, Inc.

STATE ARCHITECTS LICENSURE BOARD
REFERENCE INDEX

September 5, 2019

	TIME	AGENDA
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11	10:02	Roll Call
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13	10:03	Pledge of Allegiance
14		
15	10:03	Introduction of Audience Members
16		
17	10:07	Formal Hearing - Trina Lea Gribble
18	11:40	
19		
20	11:40	Approval of Minutes
21		
22	11:47	Report of Board Counsel
23		
24	12:04	Report of Deputy Commissioner
25		
26	12:06	Amal Mahrouki, Director of Legislative
27	12:14	Affairs, American Institute of
28		Architects Pennsylvania
29		
30	12:15	Report of Prosecutorial Division
31		
32	12:17	Report of Board President
33		
34	12:33	Report of Board Administrator
35		
36	12:35	Miscellaneous
37		
38	12:40	Executive Session
39	1:00	Return to Open Session
40		
41	1:00	Motions
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43	1:01	Adjournment
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