

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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: 10:01 A.M.

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

November 14, 2019

1 State Architects Licensure Board
2 November 14, 2019
3
4

5 BOARD MEMBERS:
6

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

18 BUREAU PERSONNEL:
19

20 C. William Fritz II, Esquire, Board Counsel
21 Ray Michalowski, Esquire, Board Prosecution Liaison
22 Tiffany A. Raker, Esquire, Board Prosecutor
23 Alice Glasser, Esquire, Board Prosecutor
24 Andrew LaFratte, MPA, Department of State
25 Marc Farrell, Deputy Policy Director, Department of
26 State
27 Amanda Li, Board Administrator
28
29

30 ALSO PRESENT:
31

32 Kristen Topper, Architect, NuTec Design
33 Yves Gauthier, Senior Architect, Jacobs
34 Joseph Kelly, Architect
35 Stephen M. Swarney, JD, Executive Director, American
36 Institute of Architects Pennsylvania
37 Amal Mahrouki, Director of Legislative Affairs,
38 American Institute of Architects Pennsylvania
39 Bruce R. Johnson, Architect, American Institute of
40 Architects Pennsylvania
41
42
43
44
45
46
47
48
49
50

1 ***

2 State Architects Licensure Board

3 November 14, 2019

4 ***

5 The regularly scheduled meeting of the State
6 Architects Licensure Board was held on Thursday,
7 November 14, 2019. John R. Hill, RA, President,
8 called the meeting to order at 10:01 a.m.

9 K. Kalonji Johnson, Acting Commissioner, Bureau
10 of Professional and Occupational Affairs, was not
11 present at the commencement of the meeting.

12 ***

13 Roll Call

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

16 ***

17 Introduction of Audience Members

18 [President Hill requested visitors identify
19 themselves.]

20 ***

21 Pledge of Allegiance

22 [The Pledge of Allegiance was recited.]

23 ***

24 Review of the Agenda

25 [John R. Hill, RA, President, reviewed the agenda,

1 noting a few informal conferences conducted before the
2 meeting. He also noted other applications for review
3 during Executive Session.]

4 ***

5 Approval of minutes of the September 5, 2019 meeting

6 PRESIDENT HILL:

7 I would like to start with approval of
8 the minutes. Board members, have you
9 read the minutes and have any comments,
10 corrections, additions, or deletions?

11 Hearing nothing, do I hear a motion
12 to approve them?

13 MR. LEINBACH:

14 So moved.

15 PRESIDENT HILL:

16 Do I have a second?

17 MR. HAMM:

18 Second it.

19 PRESIDENT HILL:

20 All those in favor? Any opposed?

21 [The motion carried unanimously.]

22 ***

23 Report of Prosecutorial Division

24 [Ray Michalowski, Esquire, Board Prosecution Liaison,
25 noted Mr. Armour has retired, and he will be taking

1 over liaison duties for the Board until Ms. Raker has
2 been on the Board for a year or so.

3 Mr. Michalowski introduced Alice Glasser,
4 Esquire, as a new Board Prosecutor.

5 Mr. Michalowski noted some of the older cases
6 were being resolved, and the Board is current on
7 cases.

8 President Hill welcomed Ms. Glasser.]

9

10 [Tiffany A. Raker, Esquire, Board Prosecutor,
11 presented the Consent Agreements for Case No. 16-41-
12 05281, Case No. 16-41-14866, and Case No. 17-41-
13 12612.]

14

15 Report of Board Counsel

16 [C. William Fritz II, Esquire, Board Counsel, noted
17 Integrated Path to Licensure (IPAL) for discussion
18 during Executive Session.

19 Mr. Fritz mentioned that Case No. 16-41-14866
20 will be tabled until after executive session.

21 Mr. Fritz addressed Act 41 regarding licensure by
22 endorsement currently in effect. He stated each Board
23 has to promulgate their own regulations more
24 specifically tailored to their Board. He noted the
25 draft for the Board's consideration. He stated the

1 next step after the Board's discussion will be working
2 with regulatory counsel.]

3 ***

4 [K. Kalonji Johnson, Acting Commissioner, Bureau of
5 Professional and Occupational Affairs, entered the
6 meeting at 10:11 a.m.]

7 ***

8 Applications

9 [John R. Hill, RA, President, noted applications for
10 the Board's review and discussion during Executive
11 Session, including the informal conferences previously
12 noted.]

13 ***

14 Report of Acting Commissioner

15 [K. Kalonji Johnson, Acting Commissioner, Bureau of
16 Professional and Occupational Affairs, addressed the
17 transition of Capitol Police for all security to make
18 policies more uniform with the rest of the Capital
19 Complex. He mentioned new lobby hours, where no
20 visitors will be accepted through the front lobby
21 after 4:00 p.m. He noted lobby access will still be
22 available at 8:00 a.m. for those who have early Board
23 or regulatory meetings.

24 Acting Commissioner Johnson referred to a letter
25 in mid-October regarding the Pennsylvania Licensing

1 System (PALS) guide, formerly dashboard. He defined
2 the guide as a modernization of the PALS website to
3 provide a platform for the general public and not just
4 licensees. There is an intuitive map of how to apply
5 for a license with FAQs on the guide to help shepherd
6 individuals through the process.

7 Acting Commissioner Johnson provided an overview
8 of Phase One, the initial process; Phase Two,
9 involving follow-up requests; and Phase Three of
10 authorizing more testing or issuing a license. He
11 mentioned introducing three more Boards each month and
12 eventually expanding to all license types within that
13 Board. He stated the goal was to prevent confusion
14 upfront with the application process. He believed the
15 Architects Licensure Board was scheduled to be added
16 to the guide the first quarter of 2020.

17 Mr. Hamm questioned whether a member of the
18 public must establish an IPAL account to verify a
19 license of someone under the Department of State.
20 Acting Commissioner Johnson explained that members of
21 the public do not need an IPAL account. A method is
22 being developed to link all of the databases to the
23 license verification page.

24 Acting Commissioner Johnson also mentioned
25 discussions regarding bringing wall certificates back

1 and consideration of a Response Code (QR) or barcode
2 that would be placed on the wall certificate to give
3 the public the ability to scan the wall certificate,
4 which would take them to the verification page.

5 President Hill wanted to see the professional
6 display certificates reimplemented.

7 Mr. Leinbach suggested linking PALS with high
8 school guidance counselors because of the misdirection
9 at the high school level. This would help to get
10 aspiring architects the information as soon as
11 possible so they may start down a path that is as
12 smooth as possible to licensure.

13 Acting Commissioner Johnson suggested utilizing
14 social media. He mentioned working with the Board to
15 provide information to individuals upon linking PALS
16 to the Pennsylvania Department of Education (PDE). He
17 stated there was a wealth of vocational schools that
18 can be accessed now, but figuring out how to bridge
19 the gap in a way that makes it enticing to them is
20 really the question to be answered.]

21 ***

22 Report of Board President

23 [John R. Hill, RA, President, noted the need for the
24 election of 2020 Board officers. President Hill
25 stated his term expires in 2020 and suggested somebody

1 else take over the position.]

2 ***

3 PRESIDENT HILL:

4 Mr. Leinbach is a candidate for
5 president. He has done a lot of work at
6 the National Council of Architectural
7 Registration Boards (NCARB) Region 2 and
8 has been very involved in a lot of
9 issues we have, so certainly I would put
10 his name in nomination.

11 Do I hear any others for President
12 of the Board? Any other comments on
13 that?

14 Mr. Leinbach, are you willing to be
15 president?

16 MR. LEINBACH:

17 I am. Thank you for the nomination. I
18 appreciate it. It is humbling, and I
19 respect the opportunity and the
20 position.

21 MR. HAMM:

22 Second.

23 PRESIDENT HILL:

24 As far as Board members, any objections?
25 All in favor, say aye.

1 [The motion carried unanimously.]

2 ***

3 PRESIDENT HILL:

4 That does leave other seats open on the
5 Board. Can I hear a nomination for vice
6 president of the Board?

7 MR. LEINBACH:

8 I would like to nominate Darryl Hamm,
9 not to overlook two other professional
10 members, but I think his time served
11 certainly gives him an understanding and
12 a working of the Board and believe that
13 he would serve well in that position. I
14 would like to see him nominated for vice
15 president.

16 PRESIDENT HILL:

17 Do we have any other nominations of any
18 discussion on that? Hearing none. Put
19 Mr. Hamm's name forward as Vice
20 President.

21 All those in favor, say aye.

22 Opposed? Congratulations, Mr. Hamm.

23 [The motion carried unanimously.]

24 ***

25 PRESIDENT HILL:

1 We have the position of Secretary of the
2 Board. Can I hear a nomination on that?

3 MR. HAMM:

4 I nominate for Secretary, Jerry Roller.

5 PRESIDENT HILL:

6 Do we have any other nominations for
7 Secretary of the Board? Hearing none.
8 All those in favor of Mr. Roller taking
9 the role of Secretary, say aye. Any
10 objections? We have our new slate of
11 officers for 2020. Congratulations.

12 [The motion carried unanimously.]

13 ***

14 [John R. Hill, RA, President, referred to PA House
15 Bill 1497 and requested the American Institute of
16 Architects (AIA) of Pennsylvania provide an update on
17 that legislative item.

18 Amal Mahrouki, Director of Legislative Affairs,
19 American Institute of Architects Pennsylvania,
20 explained that House Bill 1497 was an interior design
21 registration bill that resembles the licensure bill
22 under the Office of Attorney General. She stated the
23 bill would register interior designers and just sign
24 interior decorators, and it would allow anyone who
25 wants to call themselves an interior designer to

1 continue using that title. She noted that would go
2 under the Home Improvement Consumer Protection Bureau
3 in the Office of the Attorney General.

4 Ms. Mahrouki commented that AIA Pennsylvania
5 opposes House Bill 1497 as drafted. She stated the
6 bill is currently in the PA House Consumer Affairs
7 Committee, and AIA is working with many stakeholders
8 to let everybody know AIA thinks it could be very
9 detrimental to the health, safety, and welfare of the
10 public and will cause confusion for many individuals
11 in the construction industry.

12 Acting Commissioner Johnson commented, if there
13 was a push to amend and bring it under the Department
14 of State's auspices, that would trigger a number of
15 states to review. He stated the bill was not moving
16 through the Department of State, nor has a legislative
17 analysis been requested. He noted it to be his
18 understanding that since it does not sit under the
19 committee in either the House or the Senate, then the
20 bill has not subjected to any particular scrutiny.

21 Ms. Mahrouki believed the Department of State did
22 issue a Sunrise Evaluation in 2007, but was not sure
23 if that would hold the bill from moving forward since
24 this does look like licensure without the oversight of
25 a Board or without the oversight of the Department of

1 State.

2 Acting Commissioner Johnson commented that the
3 bill was opposed in the past due to providing
4 inadequate protection, being cost prohibitive to both
5 the public and the licensees, and questioning whether
6 that population would be subjected to an onerous
7 application fee.

8 President Hill noted the need to express
9 concerns. As a licensing Board and having read the
10 legislation previously, there was a grave concern for
11 the Board and certainly the possibility of bringing
12 confusion into the whole stamping, sealing, and
13 permitting process for projects. He noted the Board
14 can state their position once requested to do so.

15 Mr. Fritz informed the Board that they are free
16 to speak to their legislator on their own personal
17 concerns, but cautioned the Board not to make a
18 statement based upon the Board as a whole at this
19 time.

20 Mr. Hamm questioned whether AIA's opposition
21 stems around the scope of practice. Ms. Mahrouki
22 stated AIA's biggest concern was the health, safety,
23 and welfare of the public and the barrier to entry for
24 the practice of interior design. She mentioned that
25 some of the requirements were onerous when observing

1 the fees and the educational requirements to qualify
2 to sit for the National Council for Interior Design
3 Qualification (NCIDQ).

4 Acting Commissioner Johnson questioned whether
5 AIA solicited any analysis of the bill from the Office
6 of Legislative Affairs. Ms. Mahrouki stated AIA was
7 actively working with the House Consumer Affairs
8 Committee and committee staff and will soon provide an
9 analysis.

10 President Hill noted Act 41 regarding licensure
11 by endorsement will be discussed after the Executive
12 Session.

13 President Hill referred to House Bill 1419
14 regarding the Clean Slate provision for the Board's
15 review. He noted there will be criminal records at
16 minor levels that will be concealed going forward but
17 could include individuals who spent time in prison.

18 Mr. Hamm provided information from NCARB's 100th
19 Anniversary, where 100 years ago in May 1919 in
20 Nashville, Tennessee, at an AIA gathering, a group of
21 architects, due to deficient design of buildings back
22 in the day that resulted in a lot of fatalities,
23 decided to establish standards that could be applied
24 from jurisdiction to jurisdiction and is where NCARB
25 became established. He mentioned Miller Kast from

1 Pennsylvania became the president of NCARB seven years
2 later.

3 Mr. Hamm stated NCARB, because licensing is still
4 a function of the states as the Tenth Amendment to the
5 Constitution, provides a toolbox for all 55
6 jurisdictions of the licensing Boards that includes
7 education, the Architect Registration Examination, and
8 the Architectural Experience Program to measure the
9 ability of those becoming a licensed architect.

10 Mr. Hamm noted being on the NCARB Board of
11 Directors and will continue to do so. He stated NCARB
12 published a book regarding their history of regulation
13 and the history of licensing in each state. He
14 presented a copy of the book to Acting Commissioner
15 Johnson to put in the library of the Department of
16 State, Bureau of Professional and Occupational
17 Affairs, and a copy to AIA for their library. He
18 commented that Pennsylvania has a great relationship
19 with AIA and thanked AIA and Acting Commissioner
20 Johnson for their support.

21 Mr. Leinbach addressed his attendance at the
22 Region 2 fall teleconference. He mentioned the NCARB
23 Regional Summit in Cambridge, Massachusetts, at the
24 Royal Sonesta and the need for approval of any
25 interested parties.

1 Mr. Leinbach mentioned meeting with the Regional
2 Leadership Committee at the Royal Sonesta in
3 Cambridge, where there was discussion of the meeting
4 being too much like an NCARB meeting and not a
5 regional meeting, so there will be a focus on the
6 meeting of the region with more time given to the
7 region.

8 Mr. Leinbach noted that the Western Council of
9 Architectural Registration Boards Region 6 had been
10 providing continuing education presentations to their
11 region. He noted Rob Lopez will be attending with the
12 state attorney general from New York and providing a
13 session for continuing education on Saturday, November
14 16, 2019 in the morning. He stated Region 2 was also
15 continuing with the code officials and legislators
16 outreach.

17 Mr. Leinbach noted trying to find an avenue so
18 the region could have interaction with the
19 legislators, but not necessarily as Board members, to
20 create an advocacy from the mid-Atlantic region to
21 legislators to impress upon them the importance of
22 licensure in protecting health, safety, and welfare.
23 He mentioned the ongoing initiative to update the
24 Region 2 bylaws and rules with nothing major from
25 NCARB after their review.

1 Mr. Leinbach mentioned the Policy Advisory
2 Committee will be meeting at the committee summit in
3 the beginning of December in Oklahoma City with up to
4 six resolutions to be considered.

5 Mr. Leinbach also mentioned the Program Continuum
6 Advisory Committee will be meeting at the end of the
7 committee summit and will be dealing with a whole
8 continuum from education to practice to licensure.

9 Ms. McClenaghan discussed the AIA Tri-State
10 Conference, noting her presentation with Rob Lopez
11 from New York and Jared Zurn from NCARB was well
12 received. She stated there were many questions
13 concerning reciprocity.

14 Amanda Li updated the Board on NCARB ARE
15 candidate approvals. She sent two emails to the
16 candidates and one letter via certified mail, noting
17 one person responded by submitting an application that
18 was still currently pending and one who has taken some
19 of the exam sections and only needs one to complete
20 the ARE. She noted no responses from the other
21 individuals. She noted closing the eligibility
22 authorization to test until they pass the test.

23 President Hill noted the NCARB Model Law and
24 Regulations draft for the Board's review.

25 President Hill noted the 2020 National

1 Architectural Accrediting Board (NAAB) Accreditation
2 Conditions and Procedures with the request for
3 comments from NCARB.

4 Mr. Leinbach addressed PA Board initiatives and
5 the outreach to PA code officials. He noted Ms.
6 Mahrouki had been helpful in making contact and hoped
7 to pursue that and see whether there were
8 opportunities.

9 President Hill referred to Board initiatives
10 regarding the newsletter for the Board to take note.

11 President Hill also referred to NCARB
12 correspondence for the Board's review.

13 President Hill again noted the regional
14 conference in March that Mr. Hamm will be attending
15 and suggested putting a list of names together of
16 others who want to attend requesting approval.]

17 ***

18 Report of Board Administrator

19 [Amanda Li, Board Administrator, noted 2019 Employee
20 Emergency Awareness and 2019 Disability-Related
21 Training for Commonwealth Employees for the Board's
22 review.]

23 ***

24 Report of Board Counsel (Continued)

25 [C. William Fritz II, Esquire, Board Counsel, sent

1 answers to the Office of General Counsel (OGC)
2 regarding their questions and comments concerning the
3 electronic seal regulation.

4 Mr. Leinbach questioned whether it would be a
5 good time to push CE again with the efforts of the
6 interior design group refocused at the Attorney
7 General's office.

8 Mr. Fritz noted a legislative initiative had been
9 forwarded but was not sure where that stands.]

10 ***

11 [The Board recessed from 11:18 a.m. until 11:31 a.m.]

12 ***

13 [K. Kalonji Johnson, Acting Commissioner, Bureau of
14 Professional and Occupational Affairs, exited the
15 meeting at 11:31 a.m.]

16 ***

17 [Pursuant to Section 708(a)(5) of the Sunshine Act, at
18 11:31 a.m. the Board entered into Executive Session
19 with C. William Fritz II, Esquire, Board Counsel, for
20 the purpose of conducting quasi-judicial
21 deliberations. The Board returned to open session at
22 12:40 p.m.]

23 ***

24 MOTIONS

25 MR. FRITZ:

1 The Board met in Executive Session and
2 conducted quasi-judicial deliberations
3 on the following matter: The Board
4 would entertain a motion to approve the
5 Consent Agreement at Case No. 16-41-
6 05281.

7 PRESIDENT HILL:

8 Do I hear a motion?

9 MR. ROLLER:

10 So moved.

11 MR. LEINBACH:

12 Second.

13 PRESIDENT HILL:

14 I have a motion and a second. Is there
15 any further discussion on this item?

16 Hearing none. All those in favor, say
17 aye. Opposed?

18 [The motion carried. Ms. McClenaghan opposed the
19 motion. The Respondent's name is Gregory Allen
20 Radford, R.A.]

21 ***

22 MR. FRITZ:

23 The Board would entertain a motion to
24 deny the following Consent Agreement as
25 too lenient at Case No. 16-41-14866.

1 PRESIDENT HILL:

2 Do I hear a motion?

3 MR. LEINBACH:

4 So moved.

5 MR. ROLLER:

6 Second.

7 PRESIDENT HILL:

8 I have a motion and a second. Any
9 further discussion on this item?

10 Hearing none. All those in favor of the
11 denial, say aye. Opposed?

12 [The motion carried unanimously.]

13 ***

14 MR. FRITZ:

15 The Board would entertain a motion to
16 approve the Consent Agreement at Case
17 No. 17-41-12612.

18 PRESIDENT HILL:

19 Do I hear a motion?

20 MR. ROLLER:

21 So moved.

22 MR. HAMM:

23 Second.

24 PRESIDENT HILL:

25 I have a motion and a second. Any

1 further discussion on the item? Hearing
2 none. All those in favor, say aye.
3 Opposed?

4 [The motion carried. Mr. Leinbach opposed the motion.
5 The Respondent's name is David J. Markowski, R.A.]

6 ***

7 MR. FRITZ:

8 The Board would entertain a motion
9 scheduling the following matter for a
10 hearing before the Board of Daryl E.
11 Mapson, individually and t/d/b/a Boss
12 Architectural Design, Case No. 16-41-
13 14866.

14 PRESIDENT HILL:

15 Do I hear a motion?

16 MR. LEINBACH:

17 So moved.

18 MR. ROLLER:

19 Second.

20 PRESIDENT HILL:

21 I have a motion and a second. Any
22 further discussion on this item? All
23 those in favor of scheduling a hearing,
24 say aye. Opposed?

25 [The motion carried unanimously.]

1 ***

2 MR. FRITZ:

3 The Board would entertain a motion
4 denying the following Initial License
5 Applications of Scott Morrison Budnick,
6 Mohammed Hasafa, Peter John Teachen, and
7 Melissa Amie Stonikinis.

8 PRESIDENT HILL:

9 Do I hear a motion?

10 MR. LEINBACH:

11 So moved.

12 MR. ROLLER:

13 Second.

14 PRESIDENT HILL:

15 I have a motion and a second. Any
16 further discussion on these items?
17 Hearing none. All those in favor, say
18 aye. Any opposed?

19 [The motion carried unanimously.]

20 ***

21 MR. FRITZ:

22 The Board would entertain a motion
23 approving the Reciprocal Licensing
24 Application without NCARB Certification
25 of Andrew Paul Goodermote.

1 PRESIDENT HILL:

2 Do I hear a motion?

3 MR. LEINBACH:

4 So moved.

5 PRESIDENT HILL:

6 Second, by anybody?

7 MR. ROLLER:

8 Second.

9 PRESIDENT HILL:

10 I have a motion and a second. Any
11 further discussion on this item? All
12 those in favor, say aye. Opposed?

13 [The motion carried unanimously.]

14 ***

15 MR. FRITZ:

16 The Board would entertain a motion to
17 provisionally deny the Application of
18 Chantal Grant.

19 PRESIDENT HILL:

20 Do I hear a motion?

21 MR. ROLLER:

22 So moved.

23 PRESIDENT HILL:

24 Second, anybody?

25 MR. LEINBACH:

1 Second.

2 PRESIDENT HILL:

3 Any further discussion on this item?

4 Hearing none. All those in favor, say

5 aye. Opposed?

6 [The motion carried unanimously.]

7 ***

8 MR. FRITZ:

9 The Board would entertain a motion
10 scheduling the following matter for an
11 informal conference for approval of the
12 ARE Application of Matthew Eugene
13 Strahan.

14 MR. LEINBACH:

15 So moved.

16 MR. ROLLER:

17 Second.

18 PRESIDENT HILL:

19 I hear a motion and a second. Any
20 further discussion on this? All those
21 in favor, say aye. Opposed?

22 [The motion carried. Mr. Hill recused himself from
23 deliberations and voting on the motion.]

24 ***

25 MR. FRITZ:

1 Item No. 14 for Wael A. Mohamed. We are
2 going to table that one until January to
3 get more information.

4 ***

5 MR. FRITZ:

6 The Board would entertain a motion
7 approving the Reciprocal License
8 Application of Yves Gauthier.

9 PRESIDENT HILL:

10 Do I hear a motion?

11 MS. MCCLLENAGHAN:

12 So moved.

13 PRESIDENT HILL:

14 Second?

15 MR. ROLLER:

16 Second.

17 PRESIDENT HILL:

18 A motion and a second. Any further
19 discussion on this item? All those in
20 favor, say aye. Opposed?

21 [The motion carried unanimously.]

22 ***

23 MR. FRITZ:

24 The Board would entertain a motion
25 provisionally denying the Reciprocal

1 License Application of Joseph James
2 Kelly.

3 MR. LEINBACH:

4 So moved.

5 MR. ROLLER:

6 Second.

7 PRESIDENT HILL:

8 I hear a motion and a second. Any
9 further discussion on the item? Hearing
10 none. All those in favor, say aye.
11 Opposed?

12 [The motion carried unanimously.]

13 ***

14 MR. FRITZ:

15 The Board would entertain a motion
16 approving the Reciprocal License
17 Application of Kristen R. Topper.

18 PRESIDENT HILL:

19 Do I hear a motion?

20 MS. MCCLENAGHAN:

21 So moved.

22 MR. HAMM:

23 Second.

24 PRESIDENT HILL:

25 I hear a motion and a second. Any

1 further discussion? Hearing none. All
2 those in favor, say aye. Opposed?

3 [The motion carried unanimously.]

4 ***

5 Report of Board President (Continued)

6 [C. William Fritz II, Esquire, Board Counsel,
7 addressed Act 41 draft regulations. He referred to
8 9.71(a)(2) regarding competency. He addressed two of
9 the last five years of practice immediately preceding
10 the application. He put in 24 hours of CE from their
11 home state and suggested subjecting applicants to
12 interviews and formal conferences in states that do
13 not have CE.

14 Mr. Fritz addressed acts prohibited by section
15 19. He noted the requirement that an individual has
16 not been subject to any discipline in their home state
17 that would have been disciplined here. Mr. Hamm
18 referred to 9.71(a)(2), demonstrate competency by one
19 of the following and you read (i) and then it would
20 lead me to believe that or (ii). He suggested
21 changing the language to demonstrate competency by the
22 following, (i) and (ii).

23 Mr. Fritz stated two of the last five years is
24 within the act and cannot be changed, but the Board
25 could look at the CE.

1 Mr. Leinbach suggested striking the words "or
2 occupation" and having experience as a licensed
3 architect.

4 Mr. Fritz discussed section 19 regarding
5 violations that occur; bribery, fraud, deceit,
6 unprofessional conduct. He stated one of the
7 violations under section 19 of the act is violating
8 regulations.

9 Mr. Fritz explained Act 41 as an avenue for
10 someone applying for reciprocal licensure where the
11 Board may have otherwise said no. He noted the main
12 goal is to assure those who are being granted a
13 provisional license are competent to practice. He
14 stated the provisional license was good for 12 months
15 and become null and void after that. He noted that
16 the provisional license will provide individuals that
17 license with some other requirement. Mr. Fritz
18 commented that the system would be automatic at some
19 point, but at the current time, he was working with
20 Ms. Li to proactively review the applications.

21 Mr. Fritz mentioned an applicant from another
22 Board who had 15-20 years of experience and had taken
23 the Principles and Practice of Engineering (PE)
24 examination but not the Fundamentals of Engineering
25 (FE) examination, which was a perfect example of

1 someone who will receive a provisional license. He
2 stated the Board would be satisfied, because the
3 applicant proved competency and would have to pass the
4 FE within 12 months.

5 Mr. Leinbach questioned what the license status
6 would be until their final compliance; would it be a
7 lapsed license for that time?

8 Mr. Fritz will be meeting with Acting
9 Commissioner Johnson to discuss the Act 41 issues.

10 Ms. McClenaghan suggested the provisional license
11 be null and void if an individual is reprimanded in
12 their home state.

13 Mr. Fritz noted the fee analysis had not been
14 completed yet but assumed it to be similar to what was
15 already charged for a reciprocal license.

16 Mr. Leinbach suggested using the "rolling clock"
17 language that specifically stated in § 9.46 that the
18 Board may waive this requirement upon proof of medical
19 hardship or other extraordinary circumstances instead
20 of showing good cause.

21 Mr. Fritz stated the final version of this
22 regulation will not go forward until the Board votes
23 for approval.]

24

25 [Jerry K. Roller, R.A., on behalf of the Board,

1 thanked President Hill for his service.]

2 ***

3 Adjournment

4 PRESIDENT HILL:

5 Motion to adjourn?

6 MR. HAMM:

7 So moved.

8 PRESIDENT HILL:

9 Second?

10 MR. ROLLER:

11 Second.

12 PRESIDENT HILL:

13 Thank you. Have a good Thanksgiving.

14 ***

15 [There being no further business, the State Architects
16 Licensure Board Meeting adjourned at 1:06 p.m.]

17 ***

18

19

20

21

22

23

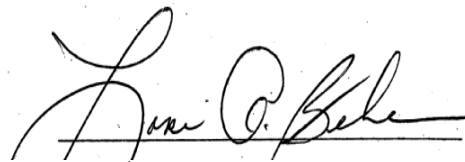
24

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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

November 14, 2019

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50

TIME	AGENDA
10:01	Official Call to Order
10:01	Roll Call
10:03	Introduction of Audience Members
10:03	Pledge of Allegiance
10:03	Approval of Minutes
10:06	Report of Prosecutorial Division
10:17	Report of Board Counsel
10:20	Report of Acting Commissioner
10:34	Report of Board President
11:15	Report of Board Administrator
11:16	Report of Board Counsel (Continued)
11:18	Executive Session
11:31	Return to Open Session
11:31	Executive Session
12:40	Return to Open Session
12:40	Motions
12:47	Report of Board President (Continued)
1:06	Adjournment