STATE OF MARYLAND
DLLR
DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSING
500 North Calvert Street-Room 308
Baltimore, MD 21202
DEPARTMENT OF LABOR, LICENSING AND REGULATION

January 5, 2018

MEMORANDUM

To: All Board Members

From: Ruby Courtney, Board Administrator
Re: Board Meeting
January 11. 2018 at 9:00 a.m.
500 North Calvert Street
3rd Floor Conference Room
Baltimore, Maryland 21202

AGENDA

1. Call to Order
2. Review of Reciprocity and Exam Applications
3. Approval of December 14, 2017 Meeting Minutes
4. Complaint Committee
5. New Business
6. Old Business
   - CPC Reciprocity and Ethics Courses
7. Report from CPC Committee
8. Report from Executive Director
9. Report from Board Counsel
10. Correspondence
    - Memo from Kelly Schulz regarding 2018 Legislative Session Policy
    - Memo from Kelly Schultz regarding Change in Financial Disclosure Filing Requirements
11. Other Business - Next Meeting Date – February 8, 2018
12. Adjournment

****** A PORTION OF THIS MEETING MAY BE CLOSED PURSUANT TO GENERAL PROVISIONS ARTICLE, ANNOTATED CODE OF MARYLAND, §3-305 (b)**

PLEASE SILENCE THE RINGERS ON YOUR CELL PHONES BEFORE ENTERING THE MEETING. If you are unable to attend the meeting, please notify the office prior to the meeting day. In the event that there will not be a quorum, the Board members will be notified that the meeting cannot be held.

cc: Milena Trust
Steve Long
James Baseman

OK

MINUTES
BOARD FOR PROFESSIONAL ENGINEERS

Date: December 14, 2017

Place: 3rd Floor Conference Room
500 North Calvert Street
Baltimore, Maryland 21202

Present: Steven A. Arndt, Ph.D., P.E., Chairman
H. C. Harclerode, P.E., Vice Chairman
Sallye E. Perrin, P.E
David G. Mongan, P.E.
Karl Rickert, P.E.
Sandra Murphy
Justin Williams, Esq.

Others Present: Steve Long, Executive Director
James Baseman, Assistant Executive Director
Milena Trust, AAG, Counsel to the Board
Susan Cherry, Chief of Litigation
Ruby Courtney, Board Administrator
Joseph Scheffey
Chris Costello

Absent: Pastor Farinas, P.E., Secretary

CALL TO ORDER

Chairman Arndt called the meeting to order at 9:20 a.m.

ACTION ON MINUTES

Motion (I) was made by Mr. Harclerode, seconded by Mr. Mongan, and unanimously carried by the Board to approve the minutes of the November 9, 2017 Board meeting with corrections.

APPLICATIONS APPROVED FOR RECIPROCITY

Motion (II) was made by Mr. Mongan, seconded by Mr. Rickert, and unanimously carried to approve 26 applications for reciprocity as follows:

52067 Pawalrutai Adkins
52068 Scott Barnhill
52069 Benjamin J. Becker
52070 Selamawit S. Bekele
52071 Jonathan D. Bell
52072 Amit D. Bhavsar
52073 John Boryschuk, Jr.
52074 Adam L. Browne
52075 Murat Engindeniz
52076 Robel Gibbe
52077 Daniel R. Hill
52078 Eric M. Hope
52079 Lan Hu
52080 Ivelin V. Igov
52081 Nasser Karinmzadeh
52082 Naji N. Khoury
52083 Richard B. Kresge
52084 Wesley G. Mitchell
52085 Lemuel Ortiz-Rosario
52086 Mark C. Peebles
52087 David A. Shepta
52088 Edward Soltis
52089 Ziad H. Sulaiman
52090 Steven D. Trinkaus
52091 Gary L. Van Balen
52092 Fan Xi

EXECUTIVE SESSION -None

COMPLAINT COMMITTEE REPORT - None

FINAL ACTION ON CPC REQUIREMENTS

As a result of the public hearing and comment period for the proposed changes to the CPC Regulations, the number of professional development hours awarded for publishing an article or book on engineering subjects will not be reduced. The Committee never discussed reducing the amount of hours awarded in proportion to the reduced amount of required professional development hours proposed.

Motion (III) was made by Mr. Mongan, seconded by Mr. Harclerode, and unanimously carried to accept the proposed changes to the CPC Regulations with non-substantive changes. Final regulations will reflect there will be no reduction of professional development hours for publishing an article or book on engineering subjects.

Ms. Trust noted that the proposed CPC Regulations must be signed by Secretary Schultz. The effective date of the regulations will be 10 days after being published by the Maryland Register. Ms. Trust believes that the regulations will be effective around mid-January 2018.

The Board discussed briefly the conditions of carryover of professional development hours. Mr. Baseman explained that carryover is only when there is an excess of the required 24 professional development hours required.

NEW BUSINESS

Education Standards

Chairman Arndt stated that changing our Education Standard as of July 1, 2017 has potentially created another problem. He explained that accepting the NCEES Education Standard as our standard means that a lot of applicants with foreign education will not be able to

meet the general education requirements if the course by course evaluation is done by NCEES. If an applicant submits a course by course evaluation from another acceptable credential evaluation company, their degree could be found acceptable because Board policy requires those applicants to submit an Engineering Curriculum Checklist, which does not require general education.

The Board discussed changing the content of the checklist. The Board discussed the fact the applicants with technology degrees also have to complete the checklist and the Board does not want to appear to give a certain class of applicants an advantage over other applicants. Ms. Perrin suggested that a short term resolution to this problem is to give the Board members the option to find the education acceptable if general education is the only deficiency. She feels that the long term resolution would be to raise the course by course evaluation standards.

Chairman Arndt stated that constituent input is needed and suggested that a committee be formed around March of next year to discuss this issue.

CPC COMMITTEE REPORT – No Report

REPORT FROM EXECUTIVE DIRECTOR

Mr. Long reported that grades have been released for the October 2017 Principles and Practice of Engineering Exam and 158 candidates passed, 147 failed, and 37 candidates did not show up. There was one candidate removed from the exam for having a cell phone.

Mr. Long also mentioned that the newly licensed Engineers' Award Ceremony has been moved to January 25, 2018 by MSPE in hopes of increasing attendance. Mr. Long asked which Board members will be available to attend. Chairman Arndt, Mr. Harclerode, and Mr. Rickert stated they will attend. Mr. Mongan may attend also. Mr. Long also stated letters were sent out to 31 licensees who are eligible for the Christie Society.

Mr. Long mentioned that the Department is working on procurement with NCEES for the PE exam. Jerry Carter, Executive Director, NCCES will send Mr. Long a copy of their MOU that is used by other states.

Mr. Long reported that the Budget is doing well and that approval was received to hire a full time investigator assigned to the Design Boards only.

REPORT FROM BOARD COUNSEL

Ms. Trust reported that she does not expect any problems with Senate Bill 106 regarding taking the Fundamentals of Engineering exam early and that she will monitor pending bills. She also mentioned there will be a Joint Chairs meeting in January 2018 and that a memo would be coming out regarding the 2018 Legislative Session Policy which prohibits Board members from talking to legislators about Board business.

Ms. Trust also mentioned that Mr. Harclerode and Mr. Mongan's Board appointments will expire this year and the paperwork for reappointment has already been submitted.

CORRESPONDENCE

Letter Appealing Denial for an Engineer-In-Training Certificate

The Board received a letter from Samir Aslam Qadir dated December 4, 2017 appealing the denial of his request for an EIT certificate. His application was denied because he did not meet our educational requirements. Mr. Qadir submitted a revised Engineering Curriculum Checklist.

Motion (IV) was made by Chairman Arndt, seconded by Mr. Mongan, and unanimously carried to reaffirm the Board's decision to deny Mr. Qadir's application because his education did not meet the mathematics and basic science requirements.

Email Requesting Disclosure of Exam Questions

The Board received an email from Moyassar Mohammed on December 6, 2017. He had sent an email to NCEES asking them to disclose his incorrect and correct answers from the exam. He was directed by NCEES to contact the Maryland Board for assistance in changing the NCEES Examination Development Policy. Their current policy only allows them to report examination results as pass or fail and all failing candidates are provided a diagnostic report which indicates their performance in all sections they attempted to answer.

The Board supports NCEES existing exam policy and will not be asking NCEES to change its policy.

Email Appealing Denial for Retired Status

The Board received an email from H. Joseph Johnson dated December 7, 2017 requesting reconsideration for Retired Status. He asked that the Board waive the 25 year license requirement. Although the Board understood his situation, the Board could not grant a Retired Status license because the statute does not permit the Board to issue a Retired Status license to anyone with less than 25 years of licensure.

Email Regarding Digital Signatures/Seals

Francis Stearns sent a complaint to the Board because he was having difficulty getting Montgomery County to accept his plans for review. Mr. Stearns claimed his drawings were rejected because he did not have a digital signature. Mr. Baseman contacted Diane Schwartz Jones, Director of Montgomery County Department of Permitting Services on December 7, 2017 by email to discuss county requirements. Ms. Jones stated that Maryland requires digital signatures on electronic documents submitted to a public authority. The Board asked that Ms. Trust respond to Ms. Jones.

APPLICATIONS APPROVED ADMINISTRATIVELY FOR RECIPROCITY

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

APPLICATIONS APPROVED FOR THE PRINCIPLES AND PRACTICE ENGINEERING EXAMINATION, APRIL 13, 2018

Kareen Abdelazim
Anup Adkikari
Serpil Ari
Marcello Arroio BS
Dustin B. Barrall
Richard S. Barrett
Yonas M. Beraki
Luis D. Betancourt
Joseph A. Bokobza
David Bombach
Alicia Brandys
Abel D. Cardenas Ortega
Janae E. Carraway
Christopher M. Cease
Christian D. Childs
Andrew T. Cyhers
Trevor Cyran
Cody D. Duplisea
John F. Elwood
Vijay N. Emani
Chad D. Emrich
Krista A. Feehely
Stephen P. Frank
Mary L. Friedrich
Nathaniel R. Fant
Benjamin C. Gilbert Jr.
James Gilford, III
Atul K. Goyal
Megan E. Griffith
Justin A. Gupta
Issa M. Haddad
Brook Hailemariam
Nataraj K. Hariharan
Kevin M. Harp
Sharon K. Hartley
Eric S. Hippler
Eric L. Hoover
Chi Ho Jang
Andrew H. Jun
Desiree B. Kendal
Ga Young Kim
Justin C. Kirk
Ryan Klein
Amanda M. Kunkel
Arkar M. Kyu
Alexander W. Laun
Eric W. Linde
Zhifeng Liu
Ahmad Shoaib Lutfi
Andrew E. MacNeill
Aaditya Mahante
Stephen W. Maier
Claudio Marsegan
James C. Marooney
Heather M. McClimans
Seth A. McCullough
Ann M. McPherson
Karim Megahed
Muhammad U. Mirza
Hasan J. Neamah
Jeffrey E. Neumayer
Yuhanna M. Njeim
Sarah Norton
Nurehusien M. Nuru
Stephen M. O'Neal
Atul J. Patel
Jigneshkumar R. Patel
Chelsea L. Pearce
Shreemal C. Perera
Christopher B. Plumley
Michelle G. Pompey
Morteza Rahimi Abkenar
Michael E. Reeder, Jr.
Kaylyn M. Rossi
Madhumita Saha
Marx P. Saintelus

APPLICATIONS APPROVED FOR THE PRINCIPLES AND PRACTICE ENGINEERING EXAMINATION, APRIL 13, 2018 (Cont'd)

Kristianne M. Sandoval
Isaac J. Sarnecki
Scott A. Saxman
Colleen B. Schaffer
Michael F. Schillenberg
Deanna M. Schreiber
Stephen J. Schiffer
Kate M. Smagala
Emerson L. Smith
Mary K. Talley
Caroline E. Taltavull
Julia J. Tembunkiart
Matthew J. Tominovich
Kenny E. Toro
Yunjie Tu
Nathan A. Turner
Kritty Udhin
Lindsay B. Volker
Eric J. Wickwire
William B. Wiemers
John T. Wyble, Jr.
Jonathan A. Yesalonia
Andrew R. Yeskie

OTHER BUSINESS

The next Board meeting will be held on Thursday, January 11, 2018.

ADJOURNMENT

Motion (V) was made by Mr. Harclerode, seconded by Mr. Rickert, and unanimously carried to adjourn the meeting at 11:17 a.m.

_____ With Corrections

_____ Without Corrections

_____ Signature

_____ Date

STATE OF MARYLAND
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DEPARTMENT OF LABOR, LICENSING AND REGULATION

OFFICE OF THE SECRETARY
500 North Calvert Street
4th Floor
Baltimore, MD 21202

To: All Financial Disclosure Filers with the Department of Labor, Licensing and Regulation

From: Secretary Kelly M. Schulz

Date: January 2, 2018

Re: Required Notice: Change in Financial Disclosure Filing Requirements

Several changes were made to the Maryland Public Ethics Law that became effective October 1, 2017, resulting from the enactment of House Bill 879 during the 2017 Legislative Session. Two related changes impact our agency.

Prior to this past October 1, a financial disclosure filer was required to disclose (on Schedule F) debts the filer owed to **entities that did business with the State** during the reporting period (usually this covers the immediately preceding calendar year). Until now, each year in early January the Ethics Commission has obtained a "bank list" from the Treasurer's Office identifying financial institutions that did business with the State during the previous calendar year. The Commission's website contained a link to that list (and a drop down list was located on the electronic form) to allow filers to determine if any of their debts (e.g. mortgages, auto loans) must be reported.

As of October 1, 2017, filers no longer must report indebtedness to entities that did business with the State during the reporting period. Filers now must report **indebtedness to entities that did business with or were regulated by their governmental unit** (e.g. agency or similar unit) (*see* Ethics Law §5-607 (g)).

In conjunction with this change to the filing requirement, HB 879 made a related change to the Ethics Law which also became effective on October 1. The Law now provides that "**on or before January 15 of each year**, a governmental unit shall provide an individual who is employed by the governmental unit and who is required to file a statement under this subtitle a list of entities that did business with the governmental unit during the preceding calendar year." (*see* Ethics Law §5-602(f)).[1] January 15, 2018 marks the first date by which agencies must make

[1]The State Ethics Commission has historically taken a practical approach to implementing this disclosure requirement when the focus was on entities doing business with the State. The Commission did **not** interpret the term "entity" to include every type of business endeavor (e.g. physicians' offices, contractors, merchants) that did business with the State. Rather, the Commission interpreted the disclosure requirement as applying to debts owed to financial institutions. Retail credit accounts (including store and bank charge accounts) were excluded, but installment loans, mortgages, car loans, or other time-fixed liabilities owed to an entity that did business with the State were included.

the required information available to their financial disclosure filers for the preceding calendar year. And of course, January 15 is now an annual requirement for agencies to develop and distribute this information.

For the purposes of employees of the Department of Labor, Licensing and Regulation, we have created an alphabetical listing of all such entities regulated by the agency for reference by filers. Note also that the listing includes both legal and trade names for all regulated entities. **This is available on the "Inside DLLR" webpage under the "Employee Information" tab.** Please refer to it when you are completing your annual Financial Disclosure Report due April 30th.

If you have any questions regarding reporting obligations and requirements, please contact your supervisor.

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OFFICE OF THE SECRETARY
500 North Calvert Street
4th Floor
Baltimore, MD 21202

To: Department of Labor, Licensing, and Regulation Employees
From: Kelly M. Schulz, Secretary KMS
Re: 2018 Legislative Session Policy
Date: December 13, 2017

This Department's employees perform critical functions in carrying out our mission and provide valuable guidance to the Department. I deeply appreciate your individual commitment and efforts to serve the citizens and business of Maryland. The Maryland General Assembly will begin its legislative session on Wednesday, January 10, 2018 and adjourns Monday, April 9, 2018. It is critical that this department speaks with one consistent voice, and I want to reiterate departmental policy regarding activities involving the Maryland General Assembly:

A Department of Labor, Licensing, and Regulation employee may offer testimony to the General Assembly in his or her official capacity and as a representative of the department on a particular bill before the General Assembly only if the employee has been specifically authorized to do so by the Governor's Legislative office with the concurrence of the Secretary.

A Department of Labor, Licensing and Regulation employee may not contact members of the General Assembly or their staff in the employee's representative capacity without prior approval of the Legislative Office and concurrence of the Secretary.

A Department of Labor, Licensing and Regulation employee may offer testimony in his or her personal capacity and not as a representative of the department on a bill provided that the employee clearly states on the record before the testimony is offered that his or her testimony is not offered in his or her official capacity or as a representative of the department, board, commission, or advisory council. If the bill is a departmental bill or a bill that the department has taken a position on, the employee shall give advance notice to the Legislative Office and Secretary that he or she will be testifying on a bill in his or her personal capacity and the nature of the testimony.

A Department of Labor, Licensing and Regulation employee may not contact members of the General Assembly or their staff on personal non-departmental matters using a Department of Labor, Licensing and Regulation email account or department letterhead.

Similarly, outside inquiries, such as from a media source, should be immediately redirected to Theresa Blaner in the communications office at (410) 230-6241 or theresa.blaner@maryland.gov.

If you are a member of a Board, Commission or Advisory Council, you are considered for purposes of the Ethics law to be an employee and the same policy applies to any such activity in that capacity.

I know I can count on each of you to adhere to this policy. Thank you for your valued service to the Department of Labor, Licensing and Regulation. If you have any questions regarding this policy, please contact your management team member.