



PRACTICE COMMITTEE MEETING MINUTES

August 4, 2022 – 2:00 p.m.

Microsoft Teams (Virtual)

Committee

Dave Peden, PE, SE, Chair

Doug Hendrickson, PE

James Wengler, PLS, CFedS

Guest(s)

Aaron Blaisdell, PLS

Marjorie Lund, PE, SE

Staff

Ken Fuller, PE, Director

Rich Larson, PLS, Deputy Director

Jill Short, Investigations & Compliance Manager

Shanan Gillespie, Regulatory Program Manager

Greg Schieferstein, Communications Manager

Vonna Cramer, Licensing Lead

Elizabeth Lagerberg, Advising AAG

1. Complaint Summary

Total Complaints Received	6
Engineering Complaints	5
Surveying Complaints	1
On-Site Designer Complaints	0
Total Administrative Closures	13
Engineering Closures	12
Surveying Closures	1
On-Site Designer Closures	0

2. Compliance Report

Mr. Peden reported there are currently 3 individuals on compliance monitoring (Richard Russum, PLS; Muhannad Attili, PE; and Ryan Hawkins). The Peer Reviewer for Mr. Russum has completed the peer review process and is recommending Mr. Russum be removed from compliance monitoring. That recommendation has been sent to the case manager for concurrence. Mr. Attili is in compliance with the terms of his board order. Mr. Hawkins has requested a reduction to the \$30K fine amount (see recommendation below).

3. Discussion Topics

- Licensure Requirements for Conducting Energy Audits
Mr. Fuller discussed an issue he had found during the review of a complaint. Mr. Fuller questioned at what point does someone doing energy calculations fall under the requirement of being done by a professional engineer and does the board want to pursue a more global review if this work falls into the practice of engineering as defined in 18.43 RCW? Discussion followed and it was determined the requirements would be looked at on a case-by-case basis.

- **RCW 18.43 Task Force Update**
Ms. Lund updated the Practice Committee on the Task Force meeting held 8/3/2022 and the 2 options the Task Force would recommend the PC move forward to the Board. Following discussion, the PC is recommending the Board approve moving forward with Option 1: To only update language for RCW 18.43.033- Pro-Tem membership – adding an On-Site Designer as a pro-tem member, and 18.43.100 -FE Waiver for those applicants that are already licensed in another jurisdiction.
- **Conducting Investigations during Civil Litigation**
Ms. Short informed committee members a question was posed to our Prosecuting Attorney on whether the Board should hold off on investigating complaints that are currently in civil litigation. Our AAG responded there is no legal bar that would prohibit us from conducting an administrative investigation while a civil case was pending. Everything should be considered on a case-by-case basis.
- **Reviewers Stamping Calculations**
Mr. Fuller questioned whether a licensed reviewer conducting plan reviews should stamp the review questions to the licensee? The PC felt we should continue to look at these on an event-by-event situation. No conclusion was reached by the PC, and the topic will be brought back up at a future meeting as definitions of the practice of engineering may be incorporated in law or rule in the future.
- **Compliance Projects**
Ms. Short updated the PC on two projects the investigation/compliance unit was working on. The first project is PDH audits for PLS/OS licensees.
The second project is PLS Standards. Mr. Blaisdell updated the committee on this project. The project will be reviewed in 3 steps. The first to look at the current administrative flow chart, second step to look at how in-depth a review of a complaint should be, and third to discuss sanctions. Mr. Blaisdell presented an updated draft complaint flow chart. Due to time constraints, the PC asked the project team to identify specific areas of concern on the current process and bring those back to the committee.

4. Strategic Planning Items

- **AIA/PE Stamping and green book resolution** – the AAG did come out with an opinion on the stamping issues. That opinion was the stamping requirements should be determined by the local permitting jurisdiction. Ms. Lagerberg will send that full opinion out to members. Our board and the Architects board will be meeting with the Washington Association of Building Officials (WABO) in October to further discuss the matter.
- **Determine WA States direction on decoupling exam experience while maintaining the practice emphasis of the exams.** WA State law do not allow for decoupling for exams which BRPELS processes applications. Issue will be removed from monitoring.
- **Mobility of licensing for Federal employees and spouse.** Current processes in law, rule and policy allows for mobility of licenses thru an expedient process. No further action at this time.

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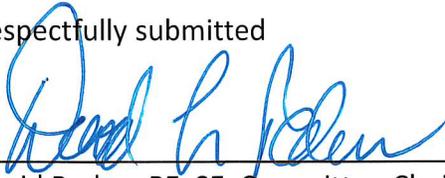
5. Action Items

- None

6. Recommendations to the Board

- Board move forward to only update language for RCW 18.43.033- Pro-Tem membership – adding an On-Site Designer as a pro-tem member, and 18.43.100 -FE Waiver for those applicants that are already licensed in another jurisdiction.
- Board consider amending Mr. Hawkins current agreed order to allow for a payment plan on paying the \$30K fine or turning Mr. Hawkins over to a collection agency for non-payment of the fine.

Respectfully submitted



David Peden, PE, SE, Committee Chair