

**Louisiana State Board of Architectural Examiners
Meeting Minutes
December 7, 2018
Baton Rouge, LA**

Present: Robert McKinney, Chair; John Cardone, Secretary; Ronald B. Blicht;
J. David Brinson; Richard J. LeBlanc; Knox Tumlin

Staff: Katherine E. Hillegas, Executive Director; Tyson J. Ducote, Deputy Director

Guests: Paul H. Spaht, Board Attorney; Kevin Singh – Louisiana Tech; Ashlie Latiolais – University of Louisiana, Lafayette; Kris Palagi – Louisiana State University

The meeting was called to order by McKinney who reviewed the agenda. It was noted that there is a new Dean at Tulane University. The Board indicated that they would like to establish an outreach meeting with him. Tumlin and Blicht indicated that they would participate. McKinney indicated that his term on the Board would be ending on December 31 and that a call for nominations had been distributed to deans and administrators of the four NAAB accredited schools, as well as the Fire Marshal's office and the Office of Facility Planning and Control. One letter of interest had been received and forwarded to the Office of Boards and Commissions for consideration.

Strategic Plan Review

McKinney noted that the Board had completed its first year following the development of the Strategic Plan and had focused discussion on ways to achieve the objectives of each of its four major goals at meetings throughout the year. It was agreed that time should be established for a comprehensive review and refreshing of the plan during 2019.

Minutes

The Board reviewed the minutes of the September 28, 2018 meeting.

Motion #1: Tumlin/Brinson: To approve the minutes of the September 28, 2018 meeting. Passed 6-0.

Complaint Review Committee Report

Tumlin and Ducote presented the report of the Complaint Review Committee ("CRC") consisting of Tumlin, Brinson, and LeBlanc.

Case #2018-08 - Ducote reported on an unlicensed firm practicing and/or offering to practice architecture and using the terms "architect," "architectural," "architecture," or anything confusingly similar to indicate that such person practiced or offered to practice architecture without proper licensure. He indicated that the respondent had signed and returned the proposed consent order offered by the CRC. The proposed consent order contained the following sanctions:

1. Respondent to pay a fine of \$1,500 and costs of \$501.53;
2. Respondent to cease and desist from using the title "architect", "architectural", "architecture," or anything similar that would indicate that such firm offers to practice architecture;
3. Publication of this disciplinary action on the Board's website and a summary of this matter in the Board's newsletter identifying Respondent by name, and
4. Reporting this matter to NCARB Disciplinary Database identifying Respondent by name.

Motion #2: Cardone/Blitch: To accept the consent order for Case #2018-08. **Passed 3-0 with CRC members abstaining.**

The respondent was identified as **Spectrum Designs, LLC**.

Case #2018-09 - Ducote reported on an unlicensed individual practicing and/or offering to practice architecture and using the terms “architect,” “architectural,” “architecture,” or anything confusingly similar to indicate that such person practiced or offered to practice architecture without proper licensure. He indicated that the respondent had signed and returned the proposed consent order offered by the CRC. The proposed consent order contained the following sanctions:

1. Respondent to pay a fine of \$1,500 and costs of \$501.53;
2. Respondent to cease and desist from using the title “architect”, “architectural”, “architecture,” or anything similar that would indicate that such individual offers to practice architecture;
3. Publication of this disciplinary action on the Board’s website and a summary of this matter in the Board’s newsletter identifying Respondent by name, and
4. Reporting this matter to NCARB Disciplinary Database identifying Respondent by name.

Motion #3: Blitch/Cardone: To accept the consent order for Case #2018-08. **Passed 3-0 with CRC members abstaining.**

The respondent was identified as **Lynnette White-Gordon**.

Ducote then reported that there were currently 11 cases open, 2 of which had been opened since June. He reported further that 4 cases had been closed since September and 5 remained in a pending status.

Legal Counsel Report

Spaht reported that two Notices of Intent (NOI) had been published in the November 20th issue of the *Louisiana Register*. The two notices were for LAC 46:1, §1315.C which addressed changes to the HSW Topics for Continuing Education and for LAC 46:1, §1901 which addressed updates to the Rules of Conduct to align with the NCARB Rules of Conduct. There is currently an open comment period for these proposed rule changes which will expire on December 10th. Pending no comments, these rule changes will be ready for adoption after February 20th.

Spaht then shared a draft of the Fiscal and Economic Impact Statement for proposed changes to LAC 46:1, §1101 – Registration and Information, §1105 – Certificates, and §1301 Renewal Procedure which would increase the registration fees for individual licensure, establish a fee for a replacement license, and remove reference to firm registration in the renewal procedure so that the subject sections are only addressing individual licensure. The FEIS will be filed with the Legislative Fiscal Office, and, upon approval, a NOI will be submitted to the *Louisiana Register* for publication in the January 2019 issue.

NCARB Continuing Education Guidelines

McKinney reviewed a draft of NCARB’s new CE Guidelines which were developed following changes to the NCARB *Model Regulations* which were revised through resolution at the June 2018 Annual Business Meeting to align the previous Health, Safety, and Welfare (HSW) Subject Areas and Topics with the six practice areas reflected in the AXP™ and ARE®.

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The NCARB *Continuing Education Guidelines* were developed to enhance both Member Board's and architects' understanding of acceptable continuing education (CE) topics, types of CE offerings by accredited providers, and current adult learning methods.

The Board reviewed the guidelines and expressed concern regarding the definition of Continuing Education Hour (defined as "one continuous instructional hour (50 to 60 minutes of contact...") as it related to the use of the word "continuous." In the evolving world of continuing education and with the advent of "nano" and "micro" learning where individuals have the potential to earn CE in quarter hour segments, the Board felt the word "continuous" should be eliminated from the definition as it appears in NCARB Legislative Guidelines and Model Law/Model Regulations. The consensus was that individuals would then be able to report CE in quarter hour increments without any question as to whether it was acceptable by a Board which had adopted the model law language related to the definition of CEH.

Incidental Practice Definition

The Board reviewed a draft definition of Incidental Practice as developed by the Task Force established by AIA and ACEC as amended from the version reviewed during the September 28 meeting.

Motion #4: Tumlin/Blicht: That the Board accept the draft definition of incidental practice as amended, subject to further review and study. **Passed 6-0.**

Hillegas reported that LAPELS would be considering adoption of the draft at their meeting in January.

Executive Directors Report

October 2018 Financial Statement

Hillegas reported that the October 2018 Financial Statement shows a net profit of \$66K with revenue for firm licensure running above budget expectations, and with expenses remaining below budget. She indicated that application processing was closed for a 14 day period from October 20 through November 5 in order to launch the new database and renewal system. She further reported that the Board would be recognizing savings in credit card transaction fees with the implementation of the new database and a new credit card transaction processing vendor.

Licensing Report

Hillegas reported that 9 initial, 36 reciprocal, 3 Professional Architectural Corporation, 6 Architectural Engineering Corporation, 25 Architectural Firm, and 10 Limited Liability Company firm licenses had been issued since August 2018.

Motion #5: Tumlin/Cardone: – To approve and ratify the list of licenses issued for the period August 9, 2018 through November 28, 2018. **Passed 6-0.**

Request for AG Opinion – SSN Update

Hillegas reported that she was still waiting on a response from the Attorney General's office related to the inquiry that the Board submitted in June surrounding the requirement of a Social Security Number for a foreign applicant who may not have one. She noted that she is holding onto a licensure application from a Canadian pending the results of the AG opinion.

Occupational Licensing Review Self-Evaluation

Hillegas notified the Board that Act 693 of the 2018 Regular session directed the Governor to review twenty percent of the agencies which license and regulate professions each year beginning in January 2019. She reported that LSBAE had been selected to participate in the first round of reviews and had been provided with a Self-Evaluation Report that must be completed and submitted to the Office of the Governor.

Office Update

Hillegas reported that the launch of the new database and Application Portal took place on November 5 as planned, and it was going fairly smoothly. Individual licensure renewals were tracking on par with previous years, and the system and process was being monitored closely by staff and the software developers. Improvements and enhancements to the system continue with the focus shifting to the development of the firm registration process in January.

The new website was launched simultaneously with the database and renewal application portal. She indicated that the roster search function is expected to be available in the next week or so. One of the major benefits of the new site is that staff are now able to manage the information on the website without having to rely on a third-party vendor.

Architecture and Education Research Fund

McKinney welcomed Kris Palagi (Louisiana State University), Ashlie Latiolais (University of Louisiana-Lafayette) and Kevin Singh (Louisiana Tech) to the meeting. He provided an overview of the Architecture and Education Research Fund and indicated that the Board would be accepting applications for the fund in April and was planning on the first distribution of funds occurring in June following the Board meeting.

It was agreed that all members of the Board would participate in the review of applications received during the April meeting.

2019 Committees

Cardone reviewed the list of committee appointments for 2019.

Continuing Education – David Brinson & Ron Blich

Complaint Review Committee – Richard LeBlanc, Knox Tumlin and Kevin Singh (pending appointment by the Governor)

Incidental Practice – Allen Bacque & Ron Blich

**Motion #6: Blich/LeBlanc: To approve the recommended committee appointments for 2019.
Passed 6-0.**

The meeting dates for 2019 are as follows:

Friday, February 8

Friday, August 9

Friday, April 12

Friday, October 11

Friday, June 7

Friday, December 6

Hillegas noted that meeting dates past June would need to be re-evaluated once the NCARB committee appointments for FY20 had been made.

Other Business

Cardone thanked McKinney for his 12 years of service with the Board and his continued commitment to the regulation of architecture through service as the SCNCARB Region 3 Chair.

New Business

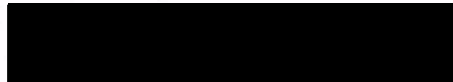
There being no further business,

Motion #7: Tumlin/Brinson: To adjourn. Passed 6-0.

Respectfully submitted,



John Cardone, Chair



Knox Tumlin, Secretary

Approved and signed by the Board on February 8, 2019