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MINUTES OF THE REGULAR MEETING OF THE
LOUISIANA PROFESSIONAL ENGINEERING
AND LAND SURVEYING BOARD
9643 BROOKLINE AVENUE, SUITE 121
BATON ROUGE, LOUISIANA 70809-1433
April 4, 2022

At 9:03 a.m. on April 4, 2022, Christopher K. Richard, P.E. called the meeting to order at the Board's office in Baton Rouge, Louisiana, with the following members present:

Christopher K. Richard, P.E.	Chairman
Chad C. Vosburg, P.E.	Vice Chairman
Edgar P. Benoit, P.E.	Secretary
Wilfred J. Fontenot, P.L.S.	Treasurer

Linda H. Bergeron, P.E.
Byron D. Racca, P.E.
Connie P. Betts, P.E.
Reginald L. Jeter, P.E.
James H. Chustz, Jr., P.L.S.
Janice P. Williams, P.E.
Vijaya Gopu, Ph.D., P.E.

Also present:

Jeffrey A. Pike, P.E.
Donna D. Sentell, Executive Director
Cheron Seaman, Deputy Executive Director
Bill Tripoli, IT Director
D. Scott Landry, Board Attorney
Joe Harman, P.E., Technical Advisor
David Patterson, P.L.S., Technical Advisor
LaTasha Andrews, Board Investigator (*via Zoom video conferencing*)
William Hyatt, Board Investigator (*via Zoom video conferencing*)
Toby Fruge, P.E.

The invocation was led by Mr. Jeter and the pledge was led by Mr. Racca.

Public comment time was recognized by Chairman Richard. Mr. Fruge, P.E., was recognized.

The Board unanimously approved the motion made by Mr. Benoit, seconded by Mr. Racca, to accept the April 4, 2022 proposed Call and Agenda for the meeting.

The Board unanimously approved the motion made by Mr. Vosburg, seconded by Mr. Chustz, to approve the minutes from the February 1, 2022 Board meeting.

Committee Reports

Laws and Rules Committee

Chairman Richard presented the report for the Laws and Rules Committee.

Chairman Richard discussed several proposed rule revisions regarding dependents of healthcare professionals. After discussion, the Board unanimously approved the motion made by the Laws and Rules Committee to amend Rules 903 and 909 as follows:

§903. Professional Engineer Licensure

A. – D.2. ...

E. The requirements for licensure as a professional engineer under the alternatives provided in R.S. 37:1751(C) are as follows:

1. the applicant for licensure as a professional engineer shall be a dependent of a healthcare professional who has satisfied the requirements for

1 licensure under R.S. 37:693(B)(2)(b) and Paragraph 2 of Subsection A herein,
2 who has submitted an application for licensure in accordance with the
3 requirements of R.S. 37:694, and who was duly licensed as a professional
4 engineer by the board; or
5

6 2. the applicant for licensure as a professional engineer shall be a
7 dependent of a healthcare professional who has lawfully engaged in the
8 practice of engineering for at least three years in a state, territory, or
9 possession of the United States, or the District of Columbia, that does not use an
10 occupational license or government certification to regulate the practice of
11 engineering, who does not have a disqualifying criminal record as determined
12 by the board in accordance with the laws of this state, who has not had an
13 occupational license revoked by a licensing board in another state, territory, or
14 possession of the United States, or the District of Columbia, because of
15 negligence or intentional misconduct related to their work in the occupation,
16 who has not surrendered an occupational license because of negligence or
17 intentional misconduct related to their work in the occupation in another state,
18 territory, or possession of the United States, or the District of Columbia, who
19 does not have a complaint, allegation, or investigation pending before a
20 licensing board in another state, territory, or possession of the United States, or
21 the District of Columbia, which relates to unprofessional conduct or an alleged
22 crime, who has submitted an application for licensure in accordance with the
23 requirements of R.S. 37:694, and who was duly licensed as a professional
24 engineer by the board.
25

26 F. The provisions of Subsections B, C and D shall not apply to any applicant
27 who received a dishonorable discharge or to a military spouse whose spouse
28 received a dishonorable discharge.
29

30 G. In Subsections B, C and D, the term *military* shall mean the armed forces
31 or reserves of the United States, including the Army, Navy, Marine Corps, Coast
32 Guard, Air Force, and the reserve components thereof, the National Guard of
33 any state, the military reserves of any state, or the naval militia of any state.
34

35 H. In Subsections B, C and D, the term *dependent* shall mean a resident
36 spouse or resident unmarried child under 21 years of age, a child who is a
37 student under 24 years of age and who is financially dependent upon the
38 parent, or a child of any age who is disabled and dependent upon the parent.
39

40 I. In Subsection E, the term *dependent* shall mean any of the following who
41 relocates to Louisiana with a healthcare professional:
42

- 43 1. The healthcare professional's spouse;
- 44 2. The healthcare professional's unmarried child under the age of 21
45 years;
- 46 3. The healthcare professional's child who is a student under the age of 24
47 years and who is financially dependent upon the healthcare professional; or
- 48 4. The healthcare professional's child of any age who is disabled and
49 financially dependent upon the healthcare professional;
50

51 J. In Subsection E, the term *healthcare professional* shall mean a person
52 who has relocated to and established his/her legal residence in Louisiana, who
53 holds a valid license to provide healthcare services in Louisiana and who is
54 providing healthcare or professional services in Louisiana as a physician,
55 physician assistant, dentist, registered or licensed practical nurse or certified
56 nurse assistant, advanced practice registered nurse, certified emergency
57 medical technician, paramedic, certified registered nurse anesthetist, nurse
58 practitioner, respiratory therapist, clinical nurse specialist, pharmacist,
59 physical therapist, occupational therapist, licensed radiologic technologist,
60 chiropractor, or licensed clinical laboratory scientist.
61

62 K. The authority for the executive director to issue a license can only be
63 granted by the board.
64
65
66

1
2 **§909. Professional Land Surveyor Licensure**
3

4 A. - D.2. ...
5

6 E. The requirements for licensure as a professional land surveyor under the
7 alternatives provided in R.S. 37:1751(C) are as follows:
8

9 1. the applicant for licensure as a professional land surveyor shall be a
10 dependent of a healthcare professional who has satisfied the requirements for
11 licensure under R.S. 37:693(B)(4)(b) and Paragraph 2 of Subsection A herein,
12 who has submitted an application for licensure in accordance with the
13 requirements of R.S. 37:694, and who was duly licensed as a professional
14 engineer by the board; or
15

16 2. the applicant for licensure as a professional land surveyor shall be a
17 dependent of a healthcare professional who has lawfully engaged in the
18 practice of land surveying for at least three years in a state, territory, or
19 possession of the United States, or the District of Columbia, that does not use an
20 occupational license or government certification to regulate the practice of land
21 surveying, who does not have a disqualifying criminal record as determined by
22 the board in accordance with the laws of this state, who has not had an
23 occupational license revoked by a licensing board in another state, territory, or
24 possession of the United States, or the District of Columbia, because of
25 negligence or intentional misconduct related to their work in the occupation,
26 who has not surrendered an occupational license because of negligence or
27 intentional misconduct related to their work in the occupation in another state,
28 territory, or possession of the United States, or the District of Columbia, who
29 does not have a complaint, allegation, or investigation pending before a
30 licensing board in another state, territory, or possession of the United States, or
31 the District of Columbia, which relates to unprofessional conduct or an alleged
32 crime, who has passed the examination required by the board in the Louisiana
33 laws of land surveying, who has submitted an application for licensure in
34 accordance with the requirements of R.S. 37:694, and who was duly licensed as
35 a professional land surveyor by the board.
36

37 F. The provisions of Subsections B, C and D shall not apply to any applicant
38 who received a dishonorable discharge or to a military spouse whose spouse
39 received a dishonorable discharge.
40

41 G. In Subsections B, C and D, the term *military* shall mean the armed forces
42 or reserves of the United States, including the Army, Navy, Marine Corps, Coast
43 Guard, Air Force, and the reserve components thereof, the National Guard of
44 any state, the military reserves of any state, or the naval militia of any state.
45

46 H. In Subsections B, C and D, the term *dependent* shall mean a resident
47 spouse or resident unmarried child under 21 years of age, a child who is a
48 student under 24 years of age and who is financially dependent upon the
49 parent, or a child of any age who is disabled and dependent upon the parent.
50

51 I. In Subsection E, the term *dependent* shall mean any of the following who
52 relocates to Louisiana with a healthcare professional:
53

- 54 1. The healthcare professional's spouse;
55
56 2. The healthcare professional's unmarried child under the age of 21
57 years;
58
59 3. The healthcare professional's child who is a student under the age of 24
60 years and who is financially dependent upon the healthcare professional; or
61
62 4. The healthcare professional's child of any age who is disabled and
63 financially dependent upon the healthcare professional.
64

65 J. In Subsection E, the term *healthcare professional* shall mean a person
66 who has relocated to and established his/her legal residence in Louisiana, who
67 holds a valid license to provide healthcare services in Louisiana and who is

1 providing healthcare or professional services in Louisiana as a physician,
2 physician assistant, dentist, registered or licensed practical nurse or certified
3 nurse assistant, advanced practice registered nurse, certified emergency
4 medical technician, paramedic, certified registered nurse anesthetist, nurse
5 practitioner, respiratory therapist, clinical nurse specialist, pharmacist,
6 physical therapist, occupational therapist, licensed radiologic technologist,
7 chiropractor, or licensed clinical laboratory scientist.

8
9 K. The authority for the executive director to issue a license can only be
10 granted by the board.

11
12 Chairman Richard discussed several proposed rule revisions regarding the
13 reactivation of an expired, inactive or retired license. After discussion, the Board
14 unanimously approved the motion made by the Laws and Rules Committee to amend
15 Rules 2101, 2103, 2305, 3109 and 3121 as follows:

16
17 **§2101. Expiration and Renewals**

18
19 A. ...

20
21 B. After the 120-day period, the licensee or certificate holder may apply to
22 the board to reactivate the expired license or certificate to active status.
23 Applicants to reactivate an expired license must also successfully complete the
24 board's Louisiana laws and rules quiz and Louisiana ethics and professionalism
25 quiz prior to reactivation. Additionally, applicants to reactivate an expired
26 professional land surveyor license must successfully complete the board's
27 Louisiana standards of practice for boundary surveys quiz prior to reactivation.
28 Designated supervising professionals for firms applying to reactivate an
29 expired license must also successfully complete the board's Louisiana laws and
30 rules quiz and Louisiana ethics and professionalism quiz prior to reactivation
31 of the firm. Additionally, designated supervising professionals for land
32 surveying firms applying to reactivate an expired professional land surveying
33 license must also successfully complete the board's Louisiana standards of
34 practice for boundary surveys quiz prior to reactivation of the firm.

35
36 **§2103. Licensure and Certification Status**

37
38 A. The board has established the following licensure statuses for licensees.

39
40
41 *Inactive Status*—the licensure status which exists for an individual licensee
42 of the board who has chosen not to practice or offer to practice engineering
43 and/or land surveying in Louisiana and who has either elected to be in this
44 status on his/her biennial licensure renewal form or otherwise received
45 authorization from the board to be in this status. A licensee in an inactive status
46 can represent himself/herself to the public as a P.E. inactive or a P.L.S. inactive,
47 as applicable, but cannot otherwise practice or offer to practice engineering
48 and/or land surveying in Louisiana. A licensee in an inactive status may apply
49 to the board to reactivate the inactive license to active status. Applicants to
50 reactivate an inactive license must also successfully complete the board's
51 Louisiana laws and rules quiz and Louisiana ethics and professionalism quiz
52 prior to reactivation. Additionally, applicants to reactivate an inactive
53 professional land surveyor license must successfully complete the board's
54 Louisiana standards of practice for boundary surveys quiz prior to reactivation.

55
56 *Retired Status*—the licensure status which exists for an individual licensee of
57 the board who has chosen not to practice or offer to practice engineering
58 and/or land surveying in Louisiana and who has either elected to be in this
59 status on his/her biennial licensure renewal form or otherwise received
60 authorization from the board to be in this status. To qualify for the retired
61 status, the licensee must be at least 70 years of age or have been a licensee of
62 the board for at least 35 years. Unless the licensee is granted a waiver by the
63 board, the renewal fee for the retired status shall be one-half of the current
64 renewal fee for the active status. A licensee qualified for the retired status may
65 be granted a waiver of this renewal fee if the licensee is at least 70 years of age,
66 has been a licensee of the board for at least 35 years continuously, has never
67 been subject to disciplinary action in any jurisdiction, has never committed any

1 of the offenses described in R.S. 37:698(A)(3), (4) or (5), and is of good
2 character and reputation. A licensee in a retired status can represent
3 himself/herself to the public as a P.E. retired or a P.L.S. retired, as applicable,
4 but cannot otherwise practice or offer to practice engineering and/or land
5 surveying in Louisiana. A licensee in a retired status may apply to the board to
6 reactivate the retired license to active status. Applicants to reactivate a retired
7 license must also successfully complete the board's Louisiana laws and rules
8 quiz and Louisiana ethics and professionalism quiz prior to reactivation.
9 Additionally, applicants to reactivate a retired professional land surveyor
10 license must successfully complete the board's Louisiana standards of practice
11 for boundary surveys quiz prior to reactivation.
12

13 B. The board has established the following certification statuses for
14 certificate holders.
15

. . .

16 §2305. Supervising Professional

17 A.1. - C. ...

18
19
20
21 D. If there is a change in a firm's supervising professionals, the new
22 supervising professional(s) must successfully complete the board's Louisiana
23 laws and rules quiz and Louisiana ethics and professionalism quiz. Additionally,
24 if there is a change in a land surveying firm's supervising professionals, the
25 new supervising professional(s) must also successfully complete the board's
26 Louisiana standards of practice for boundary surveys quiz.
27

28 E. A failure to comply with any of the provisions of this Chapter may subject
29 both the licensed firm and the supervising professional to disciplinary action
30 by the board.
31

32 F. Compliance with this Section will not be met by a contractual relationship
33 between the firm and a licensed professional or a firm of licensed professionals
34 in which such licensed professional or firm of licensed professionals is available
35 on a consultative basis. Nor will it be considered compliance if a licensed
36 professional is related to the firm solely in a nominal or inactive capacity.
37

38 §3109. Exemptions

39
40 A. A licensee may be exempt from the CPD requirements in this Chapter for
41 any one or more of the following reasons.
42

43 A.1 - A.4. ...

44
45 5. Licensees who certify their licensure status as inactive on their
46 biennial licensure renewal form shall be exempt from the CPD requirements
47 until their next licensure renewal. In the event such licensee subsequently
48 elects to reactivate his/her inactive license to active status, he/she must meet
49 the requirements set forth in §3121.
50

51 6. Licensees who certify their licensure status as retired on their biennial
52 licensure renewal form shall be exempt from the CPD requirements until their
53 next licensure renewal. In the event such licensee subsequently elects to
54 reactivate his/her retired license to active status, he/she must meet the
55 requirements set forth in §3121.
56

57 §3121. CPD Reactivation

58
59 A. To become reactivated to an active status, a licensee in an expired,
60 inactive, or retired status must have earned all PDHs which he/she would have
61 been required to earn if he/she had been in an active status during the
62 previous two calendar years as provided in §3105.

1
2 Chairman Richard discussed a proposed rule revision regarding the completion,
3 correction, revision or addition to the work of another. After discussion, the Board
4 unanimously approved the motion made by the Laws and Rules Committee to amend
5 Rule 2503 as follows:
6

7 **§2503. Licensees**

8
9 A - C.3. ...

10
11 D. Licensees shall submit to a client only that work prepared by the licensee
12 or under their responsible charge; however, licensees, as third parties, may
13 complete, correct, revise, or add to the work of another licensee or other
14 related design professional, if allowed by Louisiana law, when engaged to do so
15 by a client, provided:
16

17 D.1. ...

18
19 2. the previous licensees or other related design professionals are
20 notified in writing by the licensee of the engagement referred to herein within
21 five business days of acceptance of the engagement; and
22

23 D.3. - H. ...
24

25 Chairman Richard discussed a proposed rule revision regarding continuing
26 professional development. After discussion, the Board unanimously approved the
27 motion made by the Laws and Rules Committee to amend Rule 3105 as follows:
28

29 **§3105. Requirements**

30
31 A. - B.2. ...
32

33 C. Each dual licensee is required to earn 15 PDHs per calendar year;
34 however, at least one-third of the required PDHs for each calendar year shall be
35 earned separately for each profession.
36

37 C.1. - E. ...
38

39 Chairman Richard discussed a proposed rule revision regarding land surveying,
40 mapping and real property courses. After discussion, the Board unanimously
41 approved the motion made by the Laws and Rules Committee to amend Rule 1107 as
42 follows:
43

44 **§1107. Land Surveying, Mapping and Real Property Courses**

45 A. To qualify for certification as a land surveyor intern pursuant to §907.A.1,
46 the "30 semester credit hours, or the equivalent, in land surveying, mapping,
47 and real property courses approved by the board" shall include:
48

49 1. 15 semester credit hours, or the equivalent, with a grade of "C" or
50 better in land surveying courses, at least three of which shall be in boundary
51 surveying;
52

53 2. three semester credit hours, or the equivalent, with a grade of "C" or
54 better in mapping courses;
55

56 3. three semester credit hours, or the equivalent, with a grade of "C" or
57 better in real property courses; and
58

59 4. nine semester credit hours, or the equivalent, with a grade of "C" or
60 better in either land surveying or mapping courses.
61

62 B. The mapping courses referenced in Subsection A shall not include more
63 than six semester credit hours, or the equivalent, in drafting, graphics, or
64 computer-aided design (CAD).
65

1 C. The real property courses referenced in Subsection A must cover subject
2 matter germane to land surveying applications as they apply to real property,
3 such as real property principles and real property law.
4

5 Chairman Richard presented the Petition for a Declaratory Order and Ruling filed by
6 Pamela G. Granger, P.E. After discussion, the Board unanimously approved the motion
7 made by Chairman Richard, seconded by Mr. Racca, to approve the following ruling on
8 Ms. Granger's Petition for Declaratory Order and Ruling:
9

10 **RULING ON PETITION FOR DECLARATORY ORDER**

11 1.

12 On March 21, 2022, Pamela G. Granger, P.E. ("Petitioner") filed with the
13 Louisiana Professional Engineering and Land Surveying Board (the "Board") a
14 petition for declaratory order and ruling pursuant to LAC Title 46:LXI§727.
15

16 2.

17 Petitioner seeks a declaratory order as to whether LAC Title
18 46:LXI§2507(E) would prohibit her from testifying in court on behalf of a
19 governmental body regarding engineering services which she provided to the
20 governmental body while under contract with such body.

21 3.

22 LAC Title 46:LXI§2507(E) provides as follows:
23 §2507. Conflicts of Interest

24 E. When in public service as a member, advisor or employee of a
25 governmental body or agency, or under contract to provide
26 consultation, advice, technical reviews and recommendations to a
27 governmental body or agency, licensees shall not participate in
28 considerations or actions with respect to professional services
29 provided by them or their organization to that governmental body or
30 agency or to any other person.

31 **ORDER**

32 After due consideration of the petition for declaratory order and ruling filed
33 by Petitioner and after discussion by the Board during its meeting on April 4,
34 2022:

35 **IT IS THE RULING** of the Board that:

36 4.

37 LAC Title 46:LXI§2507(E) is focused on conflicts of interest and is
38 intended to prohibit, for example, a professional engineer from engaging in a
39 conflict of interest through their involvement on behalf of a governmental
40 body in that body's review, consideration or approval of the professional
41 engineer's own engineering work or the engineering work of the professional
42 engineer's firm.

43 5.

44 Therefore, LAC Title 46:LXI§2507(E) does not prohibit a professional
45 engineer from testifying in court on behalf of a governmental body regarding
46 engineering services which such professional engineer provided to the
47 governmental body while under contract with such body.
48

49 **Applications**

50 **Application Appeals**

51 The Board unanimously approved the motion made by Mr. Benoit, seconded by Ms.
52 Betts, to affirm the reviewing committee's decision to (a) *disapprove* the application of
53 **Mr. Sandeep M. Menon** for licensure as a professional engineer by comity based on
54 not satisfying the examination requirements of the Board and (b) *disapprove* the
55 application of **Mr. Sandeep M. Menon** for licensure as a professional engineer under
56 Rule 903(A)(3) based on not satisfying the educational requirements of the Board.
57

58 The Board disapproved the motion made by Mr. Benoit, seconded by Mr. Vosburg,
59 with Mr. Benoit for and Mr. Fontenot, Ms. Betts, Mr. Jeter, Ms. Bergeron, Mr. Racca, Mr.
60 Chustz, Ms. Williams, Dr. Gopu and Mr. Vosburg against, to review for potential
61 revision the Board rules dealing with "accredited" curricula to add "acceptable to the
62 Board".
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Application Reviews

The Board reviewed the application of **Mr. Ahmed E. Rageh** for licensure as a professional engineer by comity. After discussion, the Board unanimously approved the motion made by Ms. Betts, seconded by Ms. Bergeron, to notify the applicant that as of April 2022, he is deficient in progressive engineering experience by 11 months.

The Board recessed at 12:03 p.m. and resumed at 12:38 p.m.

Mr. Landry exited the meeting at 12:55 p.m.

Committee Reports (continued)

Finance Committee

Mr. Vosburg presented the report for the Finance Committee.

The Board unanimously approved the motion made by Mr. Vosburg, seconded by Ms. Williams, to accept the year-to-date finance report for FY 21-22 as presented.

Old/New Business

The Board unanimously approved the motion made by Mr. Jeter, seconded by Ms. Betts, to schedule the next Board meeting for May 23, 2022.

The Board unanimously approved the motion made by Mr. Chustz, seconded by Ms. Betts, to approve Board and staff members to attend the 2022 NCEES Annual Meeting in Carlsbad, California on August 23 – 26, 2022.

Closing Business

The Board unanimously approved the motion made by Mr. Jeter, seconded by Mr. Fontenot, to approve all committee recommendations and actions.


The Board unanimously approved the motion made by Mr. Benoit, seconded by Ms. Bergeron, to acknowledge and confirm all licenses and certificates issued and renewed since the last Board meeting.

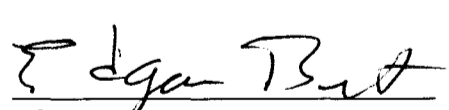
The Board unanimously approved the motion made by Ms. Betts, seconded by Mr. Racca, to approve all Board expenses.

The Board unanimously approved the motion made by Chad Vosburg, seconded by Mr. Jeter, to request NCEES emeritus status for Jeffrey A. Pike, P.E.

The Board unanimously approved the motion made by Mr. Jeter, seconded by Mr. Benoit, to adjourn.

The meeting adjourned at 1:20 p.m. on April 4, 2022.


Christopher K. Richard, P.E.
Chairman


Edgar P. Benoit, P.E.
Secretary