Letter from the Chair
Nirmal Jain PE

The Board continues to change with time with new members, new licensure requirements, new rules, and new enforcement.

The Board continues to evolve with ideas from the diverse new Board members—both professional licensees and public members. The Board staff and I extend a warm welcome to the new Board members; see page 3 for their names and brief biographies. Since our last newsletter, members have also stepped off the Board. I would like thank them for their dedication and wise inputs during their service.

I was elected Board Chair in May 2018. This is a highly diverse Board of seventeen licensed/certified members and five public members, with a common goal of protecting the health, safety and welfare of the public.

As current Chair, my goals are outreach, credentials and statute changes. The Board is very fortunate to have highly dedicated staff to make this happen.

Outreach
Board members made more than twenty presentations this past year on the importance of licensure, how to become a licensed professional, or how to manage your license to multiple colleges, universities, and professional societies. In 2018, the Board also inaugurated the opening of the NCEES sponsored ‘Dream Big’ documentary at the Science Museum of Minnesota.

Rule Updates: Approved, in process, and proposed

A major function of the Board is rulewriting. Revising the rules that govern the Board’s work is necessary to ensure that they are clear and effective in the regulation of the professions, meet the current requirements for practice, and will protect the public.

Licensees and certificate holders are responsible for understanding and abiding by those rules, and they also have a role in their development.

See pages 8-9 for a summary of the most recently adopted rule changes and to learn more about rule change packages in process and under consideration.
Board Members

Nirmal Jain, PE (2022)  Board Chair
Meg Parsons, Architect  (2020)  
Vice Chair
Robert Gunderson, LA  (2020)  
Secretary
Paul Vogel, LS  (2020)  Treasurer
Dennis Martens, PE  (2019)  Immediate Past Chair

Daniel Baar, LS  (2019)
Dave Blume, PE  (2021)
Rachel Dwyer,  
Public Member  (2021)
Eric Friske, Public Member  (2021)
Terry Groshong, Architect  (2019)
Darcy Hield, CID  (2020)
Wayne Hilbert, Architect  (2021)
Denise Kazmierczak, PE  (2022)
Daniel Murphy, PE  (2020)
Scott Robinson, LA  (2022)
Keith Rapp, PG  (2019)
Claudia Reichert, CID  (2021)
David Stenseth, CPA,  
Public Member  (2021)
Robert Whitmyer, PSS  (2021)

(Year denotes term expiration)

Board Staff

Doreen Johnson  
Executive Director
Andrea Barker  
Asst. Executive Director
Matt Kaehler  
Complaints/Firms/Continuing Education
Laurie Nistl  
Licensing & Exams—Architect/CID/Firms/FE/LA
Allison Desmond  
Licensing & Exams—PE/FSS/PSS/
Leama Sather  
Licensing & Exams—FS/PS/FG/PG/PE
Sue Lick  
Licensing & Exams—FE/LA/AR

2019 Executive Committee elected
Committee and Section Chairs Set

The Board members elected their new 2019 executive committee this past May.

Executive Committee
In the photo, from left to right, front to back, are picture:
• Dennis Martens, PE, Immediate Past Chair
• Nirmal Jain, PE, Chair
• Meg Parsons, Architect, Vice Chair
• Bob Gunderson, LA, Secretary
• Paul Vogel, LS, Treasurer

That new executive committee appointed new committee and section chairs and defined these groups’ membership.

Other Committee Chairs
• Keith Rapp, PG, Complaint
• Dave Blume, PE, Credentialing
• David Stenseth, CPA, Rules Committee

Section Chairs
• Meg Parsons, Architect, ALACID
• Robert Whitmyer, PSS, ELSGEO

Committee assignments for each Board member can be found on the website: mn.gov/aelslagid/board.html.

Thanks to outgoing members Kuretsky, Rooney

The Board gratefully acknowledges two public members whose service ended in 2018.

William Kuretsky (2010-2018) offered a great common sense voice in all the Board’s work, particularly during his many years on the Rules committee, on which he twice served as Chair.

Jody Rooney (2017-2018) provided the sort of intelligent questioning that is invaluable to the Board’s professional members. She served on the Rules committee and also briefly as ELSGEO Section Chair.
2018 Board appointments made
Baar, Kazmierczak, and Robinson join as new members; Jain reappointed

In 2018, former Governor Dayton made his final appointments to the Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience and Interior Design. Terms are effective July 23, 2018, and expire January 3, 2022, with the exception of the previously vacated land surveyor seat, which has a term ending in 2019.

Nirmal Jain, PE
Mr. Jain currently serves as Board Chair. He has worked in mechanical engineering since 1968 and has also worked in manufacturing, R & D, and building construction. Mr. Jain is Principal Engineer at the University of Minnesota, overseeing building design and energy optimization programs. He was the construction engineering coordinator for TCF Bank Stadium, Bell Museum, and many other large buildings on the Twin Cities campus. He is as an adjunct instructor for the University of Minnesota and Dakota County Technical College. On the national level, he has served as an officer of the NCEES Central Zone.

Daniel Baar, LS
Mr. Baar graduated from Lake Superior College in Duluth with an associate degree in civil engineering Technology and from St. Cloud State University with a bachelor’s degree in land surveying and mapping science. He became licensed in 2007. Mr. Baar currently works for Ramsey County as the Deputy County Surveyor. Prior to joining Ramsey County in 2009, he surveyed in the private sector working in rural Minnesota and the Metro Area. Mr. Baar has served on advisory committees for technical degree programs. He has also served as president of the Minnesota Association of County Surveyors (MACS).

Denise Kazmierczak, PE
Ms. Kazmierczak has been a licensed Professional Engineer since 1997. She graduated from South Dakota State University with a degree in civil engineering in 1990, and obtained a master’s degree in Environmental Engineering from the University of Kansas in 1998. She is currently a Principal Environmental Engineer at Wenck Associates, specializing in air permitting, multimedia compliance management, and oil spill prevention for a variety of industrial facilities. Her career experience includes eight years in the corporate Environmental Management team at Andersen Corporation and ten years as a consultant with Burns & McDonnell. Ms. Kazmierczak is a member of the Air & Waste Management Association.

Scott Robinson, LA
Mr. Robinson is a licensed Landscape Architect for the Minnesota Department of Transportation in the Office of Environmental Stewardship. He has been with MnDOT for 31 years, and has provided design and technical support on corridor and site development projects throughout Minnesota. He is SWPP certified. He also directs the State Outdoor Advertising Program and frequently works with the State Scenic Byways Program. He has worked in the Office of Bridges and Structures and Engineering Services at the DNR. Mr. Robinson has bachelor’s degrees in geography and environmental design from the University of Minnesota and an associate degree in civil and highway technology.

Don’t miss important news: Sign up for Board email, social media

The Board sends a renewal notice by mail as a courtesy and, occasionally, as the volume of information requires, a print newsletter. But these aren’t the only means by which you can stay informed.

1. Subscribe to email communications: Enter your email address, then reply to the “confirmation” email you receive. The Board will email you sparingly—at most a dozen times a year. When you see an email from the Board, it contains something you will want to know.
2. Follow us on social media: If you are on Twitter, Facebook, or Linkedin, you can find us there, too.

Find social links and email signup at https://mn.gov/aelslagid/subscribe.html
Enforcement Actions

DISCLAIMER: Every effort was made to ensure that the following information is correct; however, it should not be relied upon without verification from the Board office. Note that the names of companies and individuals listed may be similar to those of parties who have not had enforcement actions taken against them.

Enforcement and disciplinary orders are public data. You may view orders on the Board website or contact the Board to request copies.

The following are summaries of actions taken since the last newsletter. Full orders are posted at mn.gov/aelslagid/enforcement.html.

In the matter of Dirk Lohan, Architect, License #20526

Facts: Mr. Lohan was first licensed in 1990. On September 6, 2016, he renewed his license. As a licensee, he is required to obtain a minimum number of professional development hours (PDH) as a condition of license renewal.

On September 23, 2016, the Board notified Mr. Lohan that he had been selected as part of the Board’s continuing education audit of PDH. He submitted his response to the audit on October 4, 2016. On December 14, 2016, the board notified Mr. Lohan of the following:

- As provided under Minn. Stat. § 326.107, subds. 2 and 8, the Board rejected two courses that he had previously reported. The rejection of these courses resulted in Mr. Lohan being 2 hours short of the minimum number of PDH.
- Mr. Lohan’s license would be suspended if he did not substantiate the validity of the rejected course or successfully complete 2 PDH and submit acceptable documentation to the Board by June 14, 2017 (the 180-day cure period provided for in Minn. Stat. § 326.107, subd. 8).

Mr. Lohan had yet to remedy the situation as of October 12, 2017.

Enforcement Action: On October 12, 2017, Mr. Lohan’s license was suspended. This suspension remains in effect until the Board receives either validation of the rejected course or supporting documentation satisfactory to the Board that he has completed the minimum number of PDH. Mr. Lohan may not hold out as licensed or offer to perform or perform any services in Minnesota that require licensure as an Architect while his license is suspended.

In the matter of Richard Mandell, Landscape Architect, License #54483

Facts: Mr. Mandell was first licensed on March 17, 2017. He practiced landscape architecture as defined in Minn. Stat. § 326.02, subd. 4(a) prior to receiving his license when he prepared numerous plans for two golf courses during the years 2012 and 2016 respectively.

Enforcement Action: On October 12, 2017, the Board issued a Stipulation and Order. Mr. Mandell was reprimanded for the foregoing conduct and ordered to pay a $3,000 civil penalty.

In the matter of Erik Tomlinson, PG, License #46739

Facts: Mr. Tomlinson was first licensed in Minnesota on June 29, 2017. He practiced professional engineering as defined in Minn. Stat. § 326.02, subd. 1 and 3 prior to receiving his license when he offered services and held himself out as a Professional Engineer to a hospital in January 2017. Mr. Tomlinson self-reported on June 14, 2017.

On September 23, 2016, the Board notified Mr. Tomlinson that he had been selected as part of the Board’s continuing education audit of PDH. He submitted his response to the audit on October 31, 2016. On December 16, 2016, the Board notified Mr. Tomlinson of the following:

- As provided under Minn. Stat. § 326.107, subds. 2 and 8, the Board rejected a course that he had previously reported. The rejection of this course resulted in Mr. Tomlinson being 14 hours short of the minimum number of PDH.
- Mr. Tomlinson’s license would be suspended if he did not substantiate the validity of the rejected course or successfully complete 14 PDH and submit acceptable documentation to the Board by June 14, 2017 (the 180-day cure period provided for in Minn. Stat. § 326.107, subd. 8).

Mr. Tomlinson had yet to remedy the situation as of October 12, 2017.
**In the matter of Brian T. Hayden, PG, License #30230**

**Facts:** Mr. Hayden was first licensed in 1998. On June 22, 2016, he renewed his license. As a licensee, he is required to obtain a minimum number of professional development hours (PDH) as a condition of license renewal.

On September 23, 2016, the Board notified Mr. Hayden that he had been selected as part of the Board’s continuing education audit of PDH. He submitted his response to the audit on October 27, 2016. On December 9, 2016, the Board notified Mr. Hayden of the following:

- As provided under Minn. Stat. § 326.107, subds. 2 and 8, the Board rejected a course that he had previously reported. The rejection of this course resulted in Mr. Hayden being 22 hours short of the minimum number of PDH.
- Mr. Hayden’s license would be suspended if he did not substantiate the validity of the rejected course or successfully complete 22 PDH and submit acceptable documentation to the Board by June 7, 2017 (the 180-day cure period provided for in Minn. Stat. § 326.107, subd. 8).

Mr. Hayden had yet to remedy the situation as of December 7, 2017.

**Enforcement Action:** On December 7, 2017, his license was suspended.

On January 2, 2018, Mr. Hayden submitted documentation of the previously rejected PDH hours and the Board determined that documentation was satisfactory.

**Order Issued:** On February 2, 2018, the Board lifted the suspension of Mr. Hayden’s license.

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**In the Matter of Benjamin S. Allen, Unlicensed**

**Facts:** Mr. Allen is not currently and never has been licensed by the Board as a Professional Engineer, Professional Geologist, or Professional Soil Scientist in the State of Minnesota. He held himself out and practiced as a Professional Engineer, Professional Geologist, and Professional Soil Scientist in Minnesota within the meaning of Minn. Stat. § 326.02, subds. 1, 3, and 3(a) by preparing and signing as a Professional Engineer four Geotechnical Investigation Reports—that also included activities and reports that required a Professional Geologist and a Professional Soil Scientist—for four separate Minnesota localities.

**Enforcement Action:** On May 17, 2018, the Board issued a Settlement Agreement and Cease and Desist Order. Mr. Allen was ordered to cease and desist holding out and practicing as a Professional Engineer, Professional Geologist, or Professional Soil Scientist in Minnesota until he becomes licensed as such in Minnesota. Mr. Allen was further ordered to pay a $10,000 civil penalty.

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**In the Matter of Virginia Marie Carlson, Unlicensed**

**Facts:** Ms. Carlson is not currently and never has been licensed by the Board as an Architect in the State of Minnesota. In 1999 the Board issued Ms. Carlson a Cease and Desist Order. Ms. Carlson appealed the civil conviction, but it was affirmed on appeal.

In April 2014, the Board’s Complaint Committee (“Committee”) received a complaint from Ms. Carlson’s client that Ms. Carlson was holding out as an Architect, despite the prior Cease and Desist Order. The Committee opened an investigation. No agreement was able to be reached with Ms. Carlson.

As required with a disputed case, an Administrative Law Judge (ALJ) held a prehearing on November 27, 2017. On April 23, 2018, the Committee moved for summary disposition. A motion hearing was held on May 15, 2018. On June 13, 2018, the ALJ published an order granting the motion for summary disposition.

On September 13, 2018, Ms. Carlson and the Committee made their arguments before the Board and the Board reviewed the case filings.

**Enforcement Action:** On September 13, 2018, the Board adopted the ALJ’s Findings of Fact and Conclusions of Law and issued an Order Granting Summary Disposition. Ms. Carlson was ordered to pay a $10,000 civil penalty and to reimburse the Board for all the costs charged by the Office of Administrative Hearings regarding this case.

As provided for under Minn. Stat § 16D.17, Ms. Carlson requested a hearing before the Board on the penalties, which was held on October 9, 2018.

**Order Issued:** On October 9, 2018, the Board issued a Final Civil Penalty Order, affirming the civil penalty and other fee stipulations in the September 13, 2018, order.

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**In the Matter of Patrick Corrigan, Unlicensed**

**Facts:** Mr. Corrigan is not currently and never has been licensed by the Board as a Professional Soil Scientist in Minnesota. He held himself out and practiced as a Professional Soil Scientist in Minnesota within the criminal court cases ensued. In January 2015, the civil court sided with the client, stating Ms. Carlson “represented, inter alia, that she was a licensed architect, an AIA Associate and a nationally certified interior designer.” The Minnesota appellate courts denied Ms. Carlson’s appeal. In April 2015, in the criminal case, Ms. Carlson pleaded guilty to and was convicted of one count of theft by swindle. During her plea hearing she admitted she had called herself an architect, even though she was aware of the Board’s 1999 Cease and Desist Order. Ms. Carlson appealed the criminal conviction, but it was affirmed on appeal.

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**In the matter of Norman Eugene Spires, PE, License #54961**

**Facts:** Mr. Spires was first licensed in Minnesota on June 29, 2017. He practiced professional engineering as defined in Minn. Stat. § 326.02, subds. 1 and 3 prior to receiving his license when he offered services and held himself out as a Professional Engineer to a hospital in March 2017 and sent that hospital a proposal in May 2017.

**Enforcement Action:** On February 2, 2018, the Board issued a Stipulation and Order. Mr. Spires was reprimanded for the foregoing conduct and ordered to pay a $1,000 civil penalty.

In the matter of Patrick Corrigan, Unlicensed

**Facts:** Mr. Corrigan is not currently and never has been licensed by the Board as a Professional Soil Scientist in Minnesota. He held himself out and practiced as a Professional Soil Scientist in Minnesota within the

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continued on page 10
Newly licensed / certified

The members and staff of the Minnesota Board of AELSLAGID welcomed the following as new licensed or certified professionals between August 1, 2017, and January 31, 2019.* Our congratulations and best wishes.

NOTE: This list has been revised for the newsletter’s web edition to correct errors and omissions in the print edition.

Architect
Tara Anderson
Aaric Auring
Dusty Austin
Daniel Aversa
Cole Baessler
Mark Beattie
Benjamin Beery
Chloe Bendits
Nickisha Benjamin
Andrew Blaisdell
Sarah Bloom
Benjamin Bossert
Christopher Brenny
Isaac Bros
Holly Burley
Mandel Cameron
Matthew Carlson
Christopher Carrigan
Constance Chen
Kar-Keat Chong
Chris Christopherson
Matthew Collanni
Andrew Dahlquist
Jason Dannenbring
Robert Dillon
Natalya Egon
Anthon Ellis
Molly Ellis
Melissa Emerson
Angela Enroth
Zachary Finstrom
Megan Freeman
Timothy Fuller
Marissa Geiser
Gregory Grenz
Bridget Geissler
Heather Goodall
Eva Grammas
Michael Gray
Elizabeth Gutzman
Blake Hagen
Sangyong Hahn
Anne Hake
Elizabeth Haldenson
Karen Hansen
Kathy Hamann
Michael Hara
Joel Hauck
Brita Hausser
Michael Healy
Amanda Henderson
Daniel Hillikula
Jessica Horstkotte
Jonathan Huffmaster
Jessica Johnson
Danica Kane
Jason Kann
Sarah Kern
Lindsey Kieffer
Caralyn Kieper
Steven Knutson
Oleg Kolovskii
Kristine Krueger
Katherine Kuisle
Kathryn Kulie
Kathleen Kwan
Christopher Laabs
Eric Lagergren
Katharine Leaf
Peter Leahy
Sara Lee
Mary Myers
Michael Noonan
Timothy Ogren
Brett Olds
Jennifer Olson
Tanner Parick
Jeffrey Pauling
Matthew Peck
Goran Pujic
Jonathan Rozenbergs
Thea Rozenbergs
Kyle Sack
Kristen Salkas
Mark Santrach
Gregory Schoer
Thomas Shortall
Ryan Sigurderg
Louis Sirota
Meggen Skilling
John Steinergaeben
Scott Steinkamp
Jeremiah Stock
Metriend Steven
Jeffrey Swintowkian
Aaron Thomas
Kyle Thrapp
Daniel Torgerson
Lucas Van Sistine
Denise Velez Rivera
Jonathan Vilat
Cecil Webb
Brandon Weiss
Justin Wendt
Fiona Wholey
Scott Albarees
Brian Alexander
Ethan Ambrizlo
Erik Anders
Derek Anders
Jay Anderson
Kris Anders
Kristofer Anderson
Michael Anders
Ryan Anders
Nathan Andrican
Kari Andrist
Zachary Arnonson
Michael Arseneau
Michael Asmusen
Alexander Azipartate
Benjamin Bahr
Nathan Bakk
Jeremy Balle
Samantha Balle
Goldman Balle
Rachel Balle
Jared Balle
Andrew Balle
Zachary Battaglia
Timothy Beauchage
Gina Beers
Elliot Bell
Benjamin Bennett
Blair Bestor
Joseph Beall
Kenny Besn
David Bittinat
Morgan Bittinat
Jonas Bjelland
Zachary Blair
Adam Halskens
Matthew Blazer
Krisa Blessing
Alexander Colebolder
Daniel Bogart
Travis Boie
Nicholas Boldt
Kristopher Borchard
Jacob Clark
Chad Clemens
Jason Clemens
Joshua Colas
Logan Cook
Timothy Cooke
Sierra Cowling
Braden Cyr
Benjamin Daniels
Thomas Danielsen
Maxwell Danku
Bradley Fisher
Sarah Fitz
Erik Fladhammer
Jonathon Flex
Christopher Fortman
Patrick Fournier
Conner Frazier
Frederick
Nicholas Fribe
Richard Fritz
Gregory Fitch
Nathan Harwell
Robert Hasler
Brigitte Hay
Adam Hayow
David Hedberg
Matthew Heimann
Rachel Heinen
Michael Hejna
Samuel Helgeson
Stephanie Hellquist
Eric Johnson
James Johnson
Michael Jordan
Tyler Johnson
Bryan Johnston
Chad Jorgensen
Benjamin Juhne
Michael Juliff
Shane Jurek
Bryan Kaemingk
Richard Kakach
Wesley Karras
Jeremy Kaufman
James Keenan
Aaron Keas
Serena Keller
Richie Kennedy
Ethan Kesel
Eliot Keyes
Amanda Kieffer
Taehyong Kim
Daniel Kinney
Benjamin Klaus
Thomas Klevan
John Klingel
Michael Koepp
Mark Koivisto
Philip Kocktan
Michael Konziola
Samuel Konieczny
Kael Richter
Daniel Kraft
Tyler Kragge
Taylor Krolak
Michael Kronzer
Eric Krug
Mary Krull
Brett Kubly
Joshua Kuenen
Gregory Kufahl
Scott Kuhlan
Kyle Kuhn
Danielle Kukowski
Samuel Kulberg
Kevin Lachowitz
Devon Laire
David Langmo
Levi Lanseth
Casey Larsen
Elizabeth Larsen
Lance Larsen
Jordan Larson
Christian Lawren
Baden Law
James Lawren
Thomas Lawton
Dustin Leduc
Molly Lefebvre
Colin Leonard
Michael Leonard
Allison Lindbeck
Zachary Lindeman
Adam Listerki
Tiffany Lui
Matthew Madson
Robert Malecha
Joseph Malay
Brian Mathys
Kshitij Maurya
Kelly McCann
2018 continuing education audit results

Statute 326.107 requires license and certificate holders to complete continuing education (also called professional development hours or PDH).

When renewing, everyone must affirm that they have completed 24 PDH, which includes 2 ethics PDH. Up to a maximum of 12 non-ethics PDH can be carried forward from the prior renewal period, but the 2 ethics PDH must be earned in the current period. Right now, the “current period” means no earlier than 7/1/2018 and no later than 6/30/2020 or the date you renew for 2020-2022, whichever comes first.

Statute 326.107 describes the criteria a program or activity must meet to be considered qualifying continuing education. It describes your recordkeeping responsibilities and the consequence of noncompliance with CE requirements.

This statute also grants the Board the authority to conduct audits to determine compliance. In 2018, the Board conducted an audit of nearly 200 individuals. While most (over 80%) satisfied audit review, that left a high percentage that required “cure” by the individual. Disciplinary actions taken earlier than the Board against such individuals included requiring PDH to rectify deficiencies and assessing civil penalties. In instances when the licensee/certificate holder did not comply with Board instructions regarding cure, their license/certificate was suspended. All disciplinary actions can be found on the Board website; the most recent actions are summaries in this newsletter.

While the Board generally performs a higher number of audits during the renewal season, the Board actually can and does perform audits at any time. Everyone is encouraged to review Statute 326.107, a link to which can be found on the Board’s web page that discusses continuing education: http://mn.gov/aelslagid/continuinged.html.

* This list reflects only those receiving their first (initial) license or certificate. Every effort has been made to make this list correct per the dates specified; however it is not definitive. You can confirm license/certificate status via the AELSLAGID website roster.
Adopted and Proposed Rules Update

A major responsibility of the Board is to write rules that ensure individuals licensed or certified by the Board are qualified by current standards to practice their professions. The rules also must allow the Board to fulfill its mission to protect the health, safety and welfare of the public.

The Board has a standing committee that regularly undertakes the task of reviewing Board rules. That committee has been active over the past several months, with one rule package adopted, effective August 13, 2018, and three other packages at various stages in the rulemaking process.

Rulemaking is a formal process, with many required steps and reviews by multiple parties before adoption and implementation. For more on that process, visit the Board’s rulemaking page: https://mn.gov/aelslagid/rulemaking.html. If you would like the Board to add you to its rulemaking mailing list and receive updates as they become available, please e-mail Andrea Barker: andrea.barker@state.mn.us.

Rule Packages in Process

Rules Relating to Exam Registration (R-4547)

The proposed rule modifications would allow applicants for the Architect Registration Examination and the Fundamentals of Engineering examination to apply directly to their respective national councils to take the examination. Applicants would apply to the Board for licensure as an architect or certification as an Engineer-In-Training after passing the examination.

As of this newsletter’s publication, this proposed rule package is in the final review steps prior to formal adoption.

Rules Governing Engineering Experience and Geoscience Education and Experience (R-04579)

The Board has published a Request for Comments in the December 24, 2018, State Register, one of the early steps in the rule adoption process. The rule amendments now out for comment would:

- allow individuals to take the Principles and Practice of Engineering examination before completion of the experience requirement if the applicant so chooses;
- define “one year” of experience for licensure as a professional engineer;
- clarify the requirements for waiver of the fundamentals of geology and fundamentals of soil science examination;
- clarify the number of credits that must be completed if an applicant would like to take the fundamentals of geology or fundamentals of soil science examination before completing the education requirement;
- reduce the experience requirement for licensure as a professional geologist (PG) or professional soil scientist (PSS) from five years to four years;
- remove the requirement for a degree with a geology major for those seeking licensure as a PG and replace with the requirement to obtain 40 semester credits in geology subjects; and
- clarify the subject areas for coursework required to meet the education requirement for licensure as a PSS.

Rules of Professional Conduct (R-04449)

The Board will publish in the April 1, 2019, State Register a Dual Notice of Intent to Adopt Rules Without a Public Hearing Unless 25 or More Persons Request a Hearing, and Notice of Hearing if 25 or More Requests for Hearing Are Received. All licensees and certificate holders are being sent a postcard notice.

The Board is considering rule amendments to update and clarify Chapter 1805 (known as the Rules of Professional Conduct) and add certificate holders to those required to abide by the rules.

Go to the Board’s rulemaking page (https://mn.gov/aelslagid/rulemaking.html) to read the proposed rule in its entirety, see the Dual Notice, and learn how to comment.

EXAMINEE CONDUCT

Those sitting for an exam will now face consequences for not complying with published examination policies and procedures or proctor instruction. Examinees all have access in advance to these policies, which exist to protect the integrity of the examinations.


Rule Package Adopted on August 13, 2018

The rule changes that became effective in August make clarifications and improvements throughout MN Rules Chapter 1800.

The most significant impacts are to education and experience requirements, requirements and responsibilities regarding certification and signature on plans, and the addition of rule sections describing reinstatement, comity/reciprocal licensure, and temporary permits.

This article highlights some of those changes; however, remember that it is your responsibility as a licensee or certificate holder to understand and comply with all rules and statutes governing your license/certificate. These are publicly accessible in their official version on the website of the Office of the Revisor, available via this shortened URL: http://bit.ly/MNRules1800.
TEMPORARY PERMIT

Who?
Five professions are eligible:

Why?
Urgent need for approval to practice in order to accept/undertake a particular project in Minnesota. However, does not allow one to undertake any additional projects/work.

How?
Complete and send together the temporary permit application, comity application, and both fees. The Board must be sent all required supporting documentation before the applications will be reviewed.

60 DAYS

What?
60-day, non-renewable, single-project permit.

EDUCATION AND EXPERIENCE

All the professions except certified interior design had updates to their education and experience requirements for licensure.

These updates ranged from clarifying required coursework to having foreign education evaluated by a third-party service to the calculation of experience hours gained prior to graduation. Many changes merely clarify language or reflect current exam administration; but examinees and applicants may consider some significant. The Board encourages such interested parties to review the current rules for any changes that might effect them.

REINSTATEMENT AND COMITY APPLICATIONS

The revised rules make no fundamental change to either procedure (applying by comity/reciprocity for a license or applying for reinstatement), however the “how to’s” of those processes had been somewhat scattered throughout rule. The revised rules gather those requirements and describe them in more detail.

See:

CERTIFICATION AND SIGNATURE ON PLANS

Some key changes to this section of rule include:

- “Drawings” and “other documents that require a signature” are added to those items that must be certified and signed (matches MN Statutes 326.12 subd. 3). The nature of some of those documents is further defined.
- Certifications and signatures may now be electronic, facsimile or digital (as well as physical). Read the entire section to be sure you understand these revised requirements. See MN Rules 1800.4200 (http://bit.ly/AELSLAGID-signplans).

NO SOLICITING WITHOUT PRIOR NOTIFICATION

Did you know that those licensed in another jurisdiction but not in Minnesota may not solicit work in Minnesota without first notifying the Board in writing? They are further required to deliver a copy of that notice to every potential client for whom they are seeking to provide services, and they must apply for licensure/certification within ten days if selected as the design professional for a project in this state.

Requesting a temporary permit neither negates nor replaces this notice to the Board.

Enforcement Actions: On December 6, 2018, the Board issued a Stipulation and Order. Mr. Woitaszewski was reprimanded for the foregoing conduct and ordered to pay a $1,000 civil penalty. Further, he is required to complete two additional PDH related to professional ethics.

In the matter of Roger Blair, PE, License #54027

Facts: Mr. Blair was first licensed in 2016. On November 16, 2017, he was disciplined by the Texas Board of Professional Engineers for, among other violations, signing and sealing seven engineering design sheets for designs over which he did not have responsible charge. A third party subsequently reviewed the project and issued, signed, and sealed a Certificate of Merit attesting that Mr. Blair’s engineering design for the project was materially deficient. Based on the significance and extent of the deficiencies, The California Board determined that Mr. Blair neglected to practice engineering in an honest, ethical, professional, and diligent manner and thus jeopardized the welfare of the public.

Mr. Blair acknowledged that he failed to notify the Minnesota Board of this disciplinary action within the time period specified in Minn. Rules 1800.0120 Subpart 1(D). Mr. Blair’s Texas PE license is currently on probation.

Enforcement Action: On February 1, 2019, the Board issued a Stipulation and Order. Mr. Blair was reprimanded for the foregoing conduct and ordered to pay a $1,000 civil penalty. Further, he is required to complete two additional PDH related to professional ethics.

In the matter of Dilip Khatri, PE, License #46449

Facts: Mr. Khatri was first licensed in Minnesota in 2008. On January 6, 2017, he was disciplined by the California Board regulating professional engineers for negligence, misrepresentation, and other acts in that state.

The Minnesota Board received notice of the disciplinary action from the California Board on August 23, 2018. The Board also learned that Mr. Khatri was disciplined in Idaho, Kentucky, North Carolina, Missouri, Colorado, and Hawaii, where he also holds licenses, for failing to report to those states, as required by their rules/statutes, the disciplinary action in California.

Mr. Khatri acknowledged that he failed to notify the Minnesota Board of these disciplinary actions within the time period specified in Minnesota Rule 1800.0120 Subpart 1(D). Mr. Khatri has fulfilled the requirements of the California disciplinary order and his license there has been fully restored.

Enforcement Action: On February 1, 2019, the Board issued a Stipulation and Order. Mr. Khatri was reprimanded for the foregoing conduct and ordered to pay a $500 civil penalty.

In the matter of Jeremy Woitaszewski, Architect License #1943

Facts: Mr. Woitaszewski was first licensed in 2014. The Board received a complaint that Mr. Woitaszewski engaged in deceptive or dishonest acts by not properly crediting the work of his former employer and fellow coworkers and not properly crediting images used on his professional website. These actions are a violation of Minn. Stat. § 326.111 subd. 4(1)-(2) and Minn. Rules 1805.0200 subp. 4c.

On May 8, 2018, the Board notified Mr. Duet that he had been selected as part of the Board’s continuing education audit of PDH.
Architecture
Of interest to those seeing reciprocal licensure: NCARB has reduced the transmittal fee from $400 to $385.

NCARB released their 2018 Annual Report and NCARB By the Numbers. They note that over 6,700 licensure candidates completed the AXP in 2017, the second highest number on record. The number of licensed architects also rose in 2017. Diversity among candidates is improving with 45% of new AXP candidates identifying as minority and one of every three new architects being female. Comparing Minnesota candidate performance to the national average, Minnesota was in the top 5 for exam pass rate. The time Minnesota candidates take to complete the ARE was slightly ahead of the national average, but the time to complete the AXP was slightly below average.


Hilbert NCARB
Region 4
Vice Chair

Board member Wayne Hilbert, Architect, was elected Vice Chair, Region 4, for the National Council of Architectural Registration Boards (NCARB), of which the Minnesota State Board is a member. Mr. Hilbert’s year-long term began July 1, 2018. As Vice Chair, he will preside in the absence of the Chair and will also serve on the executive committee of the region and help establish regional policy. Previously, Hilbert served as Region 4 Treasurer.

Serving as Vice Chair is seen as a first step in advancing to higher local and eventually national leadership roles. Region 4 has been instrumental in molding national leadership.

Engineering
NCEES has new exam specification for PE Control Systems, starting October 2019. The specifications can be downloaded from the Board’s “Professional Engineering” webpage.

Computer-based (CBT) PE exam transition:
• Nuclear and Petroleum are now single-date October CBT exams.
• October 2019 is the last paper-based exam before Fire Protection becomes a single-date October CBT exam in 2020.
• Industrial and Systems will not be offered again until October 2020 and then as a single-date CBT exam.
• Chemical and Environmental are now year-round CBT exams.
• In April 2020, the Mechanical exams will become year-round CBT.

Gunderson
Elected CLARB Secretary

Robert Gunderson, LA, current Minnesota Board Secretary, was elected to a two-year term (2018–2020) as Secretary of the Board of Directors for the Council of Landscape Architectural Registration Boards (CLARB). The Minnesota Board is a member of CLARB.

Gunderson has previously served CLARB on its Nominations Committee (2015-2017) and as an invited speaker at the 2013 and 2016 CLARB Annual Meetings. He has previously served the Minnesota Board as Vice Chair.

Geoscience
At the ASBOG Annual Meeting in October, significant progress was reported on developing a national database for disciplinary action, a motion Minnesota presented at the 2017 Annual Meeting. The Council of Examiners Annual Workshop was held directly following the meeting. Among the tasks accomplished as part of the work necessary to maintain a viable and defensible national exam program was the finalization of the spring 2019 FG and PG exams.

Certified Interior Design
Former AELSLAGID board member Caren Martin is currently serving on the board of CIDQ and is President Elect for 2019.

NCIDQ exam candidates can now receive preliminary test results immediately for the FX and PX portions of the exam, with final scores arriving in 6-8 weeks.


Land Surveying
NCEES published new Principles and Practice of Surveying (PS) exam specification that became effective as of January 2019. They can be downloaded from the Board’s “Land Surveying” webpage: https://mn.gov/aelslagid/landsurveying.html.
Chair letter
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Credentials
The Board continues to monitor for continuing education fulfillment by randomly auditing renewal applicants. In 2018, about two percent of those renewing were audited. Licensees and certificate holders with disciplinary action since the prior renewal period and Board members were also included in the audit. You can read more about the audit on page 7.

Statutes and Rules Changes
During 2018 the Board implemented a new rules package relating to education and experience and streamlining the reinstatement process. You can find details on pages 8-9.

The Board is currently working on preparing a statute change proposal for 2020 regarding the minimum age of an applicant for licensure or certification (currently, 25) and a two-year period following license expiration during which the Board may take enforcement action for statute or rules violations.

Technology
The Board is making strides to keep up with the latest technologies for online interfacing and safeguarding of personal data files. The Board already has online renewals. We have now begun developing online initial license applications. Stay tuned for more on that.

If you have yet to visit the Board’s updated, easy-to-navigate website (mn.gov/aelslagid), I invite you to familiarize yourself with it. While there, I recommend you sign up to receive email communications from the Board (approximately one email per month). The website and the email service are very good ways to keep up with key Board news.

Calendar of Meetings
April - September

APRIL
12 Complaint Committee* - 8:00 am

MAY
16 Committees/Sections/Board - 8:00 am
TBD Complaint Committee*

JUNE
28 Committees/Sections/Board - 8:00 am
TBD Complaint Committee*

JULY
TBD Complaint Committee*

AUGUST
6 Committees/Sections/Board - 8:00 am

SEPTEMBER
24 Committees/Sections/Board - 8:00 am
TBD Complaint Committee*

Please consult the Board website for any changes to meeting dates or times.

* Board meetings are open to the public, with the exception of Disciplinary/Complaint meetings or discussions as prescribed by Minnesota Statutes 130.01 and Chapter 14.