

**MINUTES
ENFORCEMENT COMMITTEE MEETING
TEXAS BOARD OF PROFESSIONAL ENGINEERS
1917 S. IH 35
Austin, Texas 78741
May 23, 2019—9:30 AM**

Discuss and Possibly Act on the Following Agenda Items:

1. Preliminary Matters:

A. Call to Order.

Ms. Catherine Norwood, P.E., Chair, called the Enforcement Committee meeting of the Texas Board of Professional Engineers to order at 9:38 a.m. at the Texas Board of Professional Engineers, 1917 S. IH 35, Austin, TX. (NOTE: all votes are unanimous unless noted.)

B. Roll Call.

Ms. Bodden called the roll. It was noted for the record that a quorum was present.

The following Committee members were present:

Catherine Norwood, P.E.	Chair
Lamberto Ballí, P.E.	Member
Albert Cheng	Member
Kiran Shah	Member

Veena Mohan, Assistant Attorney General and Kimberly Fuchs, Assistant Attorney General, were present to provide legal counsel to the Board.

Edmundo Gonzalez, P.E.; Jose I. Guerra, P.E.; and Govind Nadkarni, P.E., Advisory Members were present.

Board Members Dr. Sina Nejad, P.E.; Rolando Rubiano, P.E.; Dr. Daniel Wong, P.E., and Elvira Reyna were present.

The following staff members were present:

Lance Kinney, Ph.D., P.E.	Executive Director
David Howell, P.E.	Deputy Executive Director
Rick Strong, P.E.	Director of Licensing
Michael Sims, P.E.	Director of Compliance and Enforcement
Elissa Mazza	Staff Attorney
Clif Bond	Senior Investigator
Cristabel Bodden	Executive Assistant

C. Excuse absent committee members. All committee members were present.

D. Welcome Visitors. Terry Bilderback, P.E., Texas Society of Professional Engineers (TSPE); Manuel Montemayor, P.E.; Marte Guillen; and Trish Smith, P.E., (TSPE) were present.

E. Public comment. None.

2. Compliance & Enforcement Report.

- **Update on Compliance & Enforcement department.**

Mr. Sims provided an update on Compliance and Enforcement staff. He relayed that this division is now fully staffed with the hiring of a new Investigator and Staff Attorney.

- **Status on Compliance & Enforcement caseload.**

Mr. Sims stated that ninety-five new cases were opened, eighty-five cases were closed, and there are 170 cases pending as of February 28, 2019.

- **Status of Continuing Education audit(s).**

The March audit is wrapping up and a new system was streamlined in January to make the process more efficient.

- **Compliance & Enforcement Performance Measures.**

Mr. Sims relayed that measures included in this report are 1st and 2nd Quarter measures and that Mr. Howell would relay more information at the full Board meeting. Mr. Sims stated that complaints are going down and further research is needed to provide the reason for this decline.

No action was required on this agenda item.

3. Compliance & Enforcement Activities.

- **Sanction Consistency Review.**

Mr. Sims relayed that a Sanction Consistency Review will take place. This process usually occurs every two years and looks at resolutions to enforcement cases and checks that there is consistency throughout the cases. The Committee will be updated at the next meeting in August.

- **Review of Standard Sanction Tables in Title 22 of the Texas Administrative Code, Chapter 139, Subchapter C of Board Rules.**

Mr. Sims relayed that we will also look at the rules under Chapter 139 for resolutions and consistency. The Committee will be updated at the next meeting in August.

- **Consistency Review of Sanctions Between Professional Engineers and Professional Land Surveyors.**

Mr. Sims relayed that the main reason to have an Enforcement meeting was to prepare for the upcoming merger in which there will be a lot of new rule-making and re-organization meetings to get the process started.

No action was required on this agenda item.

4. Issues for consideration for future board meetings. None.

5. Adjourn.

It was MOVED/SECONDED (Ballí/Shah) to adjourn the meeting at 9:44 a.m. A vote was taken and the MOTION PASSED.

Date minutes were approved by Committee as submitted:

August 22, 2019

Date Board accepted minutes:

August 22, 2019