## LOUISIANA PROFESSIONAL ENGINEERING AND LAND SURVEYING BOARD 9643 BROOKLINE AVENUE, SUITE 121 BATON ROUGE, LOUISIANA 70809-1443 (225) 925-6291

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## IN THE MATTER OF:

CASE NO. 2014-13

INTEGRATED MANAGEMENT SERVICES, P.A., INC.

RESPONDENT

## **CONSENT ORDER**

The Louisiana Professional Engineering and Land Surveying Board [hereinafter the "Board"], by and through its Executive Director, pursuant to authorization by the Board, and Integrated Management Services, P.A., Inc. [hereinafter "Respondent"], by and through its duly authorized undersigned representative, hereby agree to the following:

At all times material hereto, Respondent was licensed in the State of Louisiana as a professional engineering firm, number EF–2662. At all times material hereto, Larry R. Harper was licensed in the State of Louisiana as a professional engineer, number PE-36872; however, his license has been in an expired status since October 1, 2012. At all times material hereto, Mr. Harper was an employee of Respondent.

An investigation was opened based upon the Board's receipt of information and documents which suggested that Mr. Harper may have practiced and/or offered to practice engineering in Louisiana during which time his license was expired. The investigation disclosed that since October 1, 2012 Mr. Harper (on behalf of and in the name of Respondent) has admittedly offered to provide engineering services in Louisiana and provided engineering services on three (3) projects in Louisiana.

La. R.S. 37:698(A)(9) and (16) prohibit licensees from practicing and/or offering to practice engineering in Louisiana with an expired license. La. R.S. 37:698(H) permits the Board to take disciplinary action against persons who violate La. R.S. 37:698(A)(9) and (16), upon a finding of guilt following the preferral of charges, notice and hearing and a majority vote of its entire membership authorized to participate in the proceeding. La. R.S. 37:698(C) permits the Board to take disciplinary action against a firm if one or more of its officers, directors, managers, employees, agents or representatives is found by the Board to be guilty of any of the acts or

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offenses listed in La. R.S. 37:698(A). La. R.S. 37:698(A)(9) and (16), La. R.S. 37:698(C) and La. R.S. 37:698(H) were in effect at all times material hereto.

It is undisputed that Mr. Harper's license to practice and/or offer to practice engineering in Louisiana has been in an expired status since October 1, 2012 and during this time period Mr. Harper (on behalf of and in the name of Respondent) has practiced and offered to practice engineering in Louisiana.

By letter dated September 2, 2014, the Board gave notice to Respondent that it was considering the preferral of charges against Respondent on the grounds that it may have violated La. R.S. 37:698(C), *to wit* La. R.S. 37:698(A)(9) and (16), relative to an employee practicing and/or offering to practice engineering in Louisiana with an expired license.

Wishing to dispense with the need for further disciplinary action and to conclude the instant proceeding without further delay and expense, for the purpose of this proceeding only, Respondent and the Board do hereby enter into this Consent Order, in which Respondent of its own free will consents to the issuance of a Consent Order by the Board, wherein Respondent agrees to (a) pay a fine of five hundred (\$500.00) dollars, (b) pay administrative costs of three hundred twenty-one and 53/100 (\$321.53) dollars, and (c) the publication of this Consent Order on the Board's website and a summary of this matter in the Board's official journal, the *Louisiana Engineer and Surveyor Journal*, and the reporting of this matter to the National Council of Examiners for Engineering and Surveying (NCEES), identifying Respondent by name

Respondent admits that its conduct as set forth above constitutes violations of the above referenced laws and/or rules as stated herein. Respondent acknowledges awareness of said laws and/or rules and states that it will comply with all applicable laws and rules henceforth. Respondent has been advised of its right to appeal; and it states affirmatively that it has been afforded all administrative remedies due it under the law. Respondent further acknowledges awareness of the fact that the signed original of this Consent Order will remain in the custody of the Board as a public record and will be made available for public inspection and copying upon request.

Therefore, in consideration of the foregoing and by signing this Consent Order, Respondent does hereby waive its right to a hearing before the Board, to the presenting of evidence and witnesses on its behalf, to Findings of Fact and Conclusions of Law in this case, and to judicial review of this Consent Order.

Respondent hereby represents (a) that it fully understands the meaning and intent of this Consent Order, including but not limited to its final and binding effect, (b) that it has voluntarily entered into this Consent Order and that no other promise or agreement of any kind has been made to or with him by any person whatsoever to cause the execution of this instrument and (c) that the sanctions set forth in this Consent Order do not prevent the Board from taking further disciplinary or enforcement action against Respondent on matters not specifically addressed in this Consent Order.

WHEREFORE, the Louisiana Professional Engineering and Land Surveying Board and Respondent agree that:

Respondent shall pay a fine of five hundred (\$500.00) dollars, which shall be 1 tendered to the Board by certified check payable to the Board, due upon the signing of this Consent Order; and

2. Respondent shall pay administrative costs of three hundred twenty-one and 53/100 (\$321.53) dollars, which shall be tendered to the Board by certified check payable to the Board, due upon the signing of this Consent Order; and

3. This Consent Order shall be published on the Board's website and a summary of this matter shall be printed in the official journal of the Board, the Louisiana Engineer and Surveyor Journal, and reported to the National Council of Examiners for Engineering and Surveying (NCEES), identifying Respondent by name; and

This Consent Order shall not become effective unless and until it is accepted and 4. signed by and on behalf of the Board. Should the Board not accept and sign this Consent Order, it is agreed that presentation of this matter to the Board shall not prejudice the Board or any of its members, staff, attorneys or representatives from further participation, consideration, or resolution of any further proceedings herein.

## LOUISIANA PROFESSIONAL ENGINEERING AND LAND SURVEYING BOARD

DATE: 28 January 2015 BY: Donna D. Sentru DONNA D. SENTELL, Executive Director

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INTEGRATED MANAGEMENT SERVICES, P.A., INC., Respondent

BY:

DATE: 11-14-14

RODERICK L. Hill, President

Witnesses to the signature of Integrated Management Services, P.A., Inc.

1 m U Jean D-G/man Print Name:

Print Name: TOMMY AJA

Approved by: clo and 180 Victor I. Franckiewicz, Jy

Butler Snow LLP 201 St. Charles Ave., Suite 3310 New Orleans, LA 70170 Telephone: (504) 299-7750

Attorneys for Integrated Management Services, P.A., Inc.