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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.  
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62 K. The authority for the executive director to issue a license can only be  
63 granted by the board.  
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**§909. Professional Land Surveyor Licensure**

A. - D.2. ...

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

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

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

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

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

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

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

1. The healthcare professional's spouse;
2. The healthcare professional's unmarried child under the age of 21 years;
3. The healthcare professional's child who is a student under the age of 24 years and who is financially dependent upon the healthcare professional; or
4. The healthcare professional's child of any age who is disabled and financially dependent upon the healthcare professional.

J. In Subsection E, the term *healthcare professional* shall mean a person who has relocated to and established his/her legal residence in Louisiana, who 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  
17 **§2305. Supervising Professional**  
18

19 A.1. - C. ...

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.

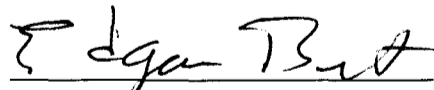
The Board unanimously approved the motion made by Ms. Betts, seconded by Mr. Racca, to approve all Board expenses.

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