

Geologist Licensing Board Meeting

Tab 1 Call to Order

December 13, 2016

8:00 AM

Capital Event Center

Tumwater, WA



STATE OF WASHINGTON
DEPARTMENT OF LICENSING

**GEOLOGIST LICENSING BOARD
 DRAFT AGENDA
 REGULAR BOARD MEETING**

DATE: December 13, 2016

TIME: 8:00 AM

LOCATION: ESD 113 / Capital Event Center
 Nisqually Room
 6005 Tyee Dr SW
 Tumwater, WA 98512

AGENDA:

OPEN SESSION 8:00 AM

- 1. Call to Order**
 - 1.1 Introductions
 - 1.2 Order of Agenda
 - 1.3 Approval of Minutes: September 13, 2016
 - 1.4 Review Communications
- 2. Public Comment Opportunity**
- 3. New Business**
 - 3.1. 2017 Meeting Schedule
 - 3.2. Report on Annual ASBOG Conference
- 4. Old Business**
 - 4.1. Outreach document update
 - 4.2. Geologist Report Writing Guidelines
 - 4.3. Master Action Items List
- 5. Complaint Cases for Review***
- 6. Legal Issues for Deliberation***

7. Disciplinary and Investigation Reports

- 7.1. Closed Session Deliberation Report (only necessary if closed session is held)
- 7.2. Disciplinary Cases Report

8. Assistant Attorney General's report**9. Committee/Task Force Reports****10. Board Administrator's Report**

- 10.1. Program Operations
- 10.2. Department of Licensing
- 10.3. Other Items

11. Other Business

- 11.1. Action Items From This Meeting
- 11.2. Agenda Items For Next Meeting
- 11.3. Any Other Business

12. Adjourn Business Meeting

*The Board may enter into closed session to discuss disciplinary proceedings.



STATE OF WASHINGTON
DEPARTMENT OF LICENSING

**GEOLOGIST LICENSING BOARD
 MINUTES
 REGULAR BOARD MEETING**

DATE: September 13, 2016
TIME: 8:00 AM
LOCATION: ESD 113 / Capital Event Center
 Mason Room
 6005 Tyee Drive SW
 Tumwater, WA 98512

BOARD MEMBERS PRESENT: Robert Mitchell, LHG; Chair
 Dave Norman, LEG, LHG; Vice Chair
 Brian Beaman, LEG, LHG Secretary
 Greg Wessel, LEG; Member
 Eileen Webb, LG, Member

BOARD MEMBERS NOT PRESENT: Thomas Tebb, LHG, LEG; Member

STAFF PRESENT: Lorin Doyle, Administrator
 Rick Storvick, Assistant Administrator
 Jenni Lingle, Administrative Assistant
 Michael Villnave, Assistant Administrator
 Shanan Gillespie, Regulatory Program Manager
 Troy Lincoln, Management Analyst
 Yvonne Brumfield, Board Support Supervisor

GUESTS PRESENT: Ken Neal

1. Call to Order 8:01 AM

1.1 Introductions

Board members and staff introduced themselves. Troy Lincoln and Yvonne Brumfield were introduced as new board staff.

1.2 Order of Agenda

Mr. Norman made a MOTION to approve the agenda as presented. Mr. Beaman seconded the MOTION, and it passed.

1.3 Approval of Minutes: June 7, 2016

Ms. Webb made a MOTION to accept the minutes. Mr. Beaman seconded the MOTION and it passed.

1.4 Review Communications

No business.

2. Public Comment Opportunity

No public comment.

3. New Business

3.1. Geologist Report Writing Guidelines:

Mr. Beaman recommended adding a section on technology. Guest Ken Neal offered background on the original document and cautioned about making it too specific. Mr. Norman suggested reviewing the Forest Practices Manual Section 16 as an example.

Action Item: Mr. Beaman and Mr. Tebb will provide a list of suggested changes to the Guidelines to be reviewed at the next board meeting.

3.2. Outreach Opportunities with the Oregon Board of Geologist Examiners

Ms. Doyle reported the Board Administrator for Oregon, Christine Valentine, and the Oregon board would like to know if Washington's board would be interested in writing an article to be published in their newsletter about scope of practice of geology in Washington.

The Oregon board is also interested in a potential partnership for outreach to local governments. Mr. Mitchell would like the collaboration to include how we could align education requirements. Mr. Norman mentioned the experience equivalence relating to what counts, not just how long which would count toward licensing as well.

Action Item: Ms. Doyle, Ms. Webb, Mr. Mitchell and Mr. Norman will work with Oregon's board regarding future outreach partnership.

3.3. ASBOG Council of Examiners attendance

Eileen Webb will attend the National Association of State Boards of Geology (ASBOG) conference in November.

4. Old Business

4.1. Outreach document edits

Mr. Norman proposed the document be formalized in rule, not limited to local government. Ms. Doyle offered two options: send the document to the Rule Committee or finalize it as a white paper.

The board discussed possible outreach methods, including electronic distribution, a mailing to county planners, Public Works Association, associations of city and county government, Department of Commerce and planning forums.

Action Item: Ms. Webb and Mr. Wessel will finalize outreach document edits and determine next steps. Ms. Brumfield will assist with the outreach component.

4.2. Master Action Items List

The master action items list was reviewed and progress updated.

5. Complaint Cases for Review*

No business.

6. Legal Issues for Deliberation*

No business.

7. Disciplinary and Investigation Reports

7.1. Closed Session Deliberation Report (only necessary if closed session is held)

No business.

7.2. Disciplinary Cases Report

Packet item; No action.

Ms. Doyle reported there are two cases being investigated and may be assigned shortly.

8. Assistant Attorney General's report

Rule questions: Experience in lieu of education and reciprocity.

Eric Sonju, the board's legal advisor, was asked to research and report on whether the board has authority to adopt a policy or a rule permitting accepting experience in lieu of education in order to make licensing standards more flexible. Mr. Sonju stated the board does not have that authority.

The board has the authority to establish minimum qualifications for applicants for licensure as provided by the geology statutes. The statutes require applicants to meet certain experience requirements and certain educational requirements; these

are treated as distinct, separate concepts by the legislature when they wrote the statute.

Within the general requirements of education and experience, the statute allows some flexibility within each category. For example, the board, through rule, can determine the types of experience or the types of educational requirements, but cannot substitute across categories (i.e., education in lieu of experience).

9. Committee/Task Force Report

Ms. Doyle will ask the Department of Licensing to look into a statute update. Ms. Gillespie will send draft language to Ms. Webb and Mr. Beaman who will review and edit and bring back to the December meeting.

10. Board Administrator's Report

10.1. Program Operations

The agency is looking at significant technological upgrades to our online licensing systems which will impact our licensing applicants. We should see upgrades to our online renewal applications in 2017, to be followed by the ability to apply online. Staff is in the middle of requirement gathering and soon we will be testing. Costs for the new system will impact the geologist board budget to some degree.

10.2. Department of Licensing

Ms. Doyle reported on demographic information provided in packet, including information relating new licensees.

Ms. Doyle announced with the new program representative David Henry's hiring, the program is now completely staffed.

10.3. Other Items

No business.

11. Other Business

11.1. Action Items From This Meeting

Action items were reviewed and will be added to the master action items list.

11.2. Agenda Items For Next Meeting

Agenda items for the next meeting include:

- Geologist Report Writing Guidelines.

11.3. Any Other Business

No business.

12. Adjourn Business Meeting 9:26 AM

ESD 113 / Capital Event Center
Tumwater, WA

Submitted by: _____
Lorin Doyle, Administrator

Date

Approved by: _____
Robert Mitchell, Board Chair

Date

Board Meeting

Tab 2

Public Comment

The board has the option to allow comment from the public on agenda items or other topics, unless the comment is related to an open investigation.

The board may limit the comment period, and will provide instructions if it chooses to do so.

Board Meeting

Tab 3

New Business

Topics for action or discussion by the board that were identified at or since the last board meeting.

Geologist Licensing Board
December 13, 2016
Olympia, WA

Background: At the last board meeting each year, the board and staff set the meeting calendar for the next year.

By rule WAC 308-15-010, the board meets quarterly, with one set meeting in March to elect officers. Meeting locations are determined when the next year's calendar is set. The board has traditionally met in the months listed below to ensure staff have appropriate time to process travel requests and take other action necessary for the National Association of State Boards of Geology (ASBOG) annual meeting (November), the ASBOG Council of Examiners (April and November), and officer elections:

- March
 - Officer elections
- June
 - Identify delegates for the ASBOG annual meeting and COE in November 2017
- September
- December
 - Identify delegates for the ASBOG COE in April 2018.

However, the board may consider other factors in their schedule, such as campus visits or aligning their meetings to coincide with other regulatory boards or outreach events.

Recommendation: Board staff requests the board members bring their 2017 calendars to the board meeting.

Submitted by Board Staff
November 22, 2016

Regulatory Boards Section 2017 Calendar

January 2017						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

February 2017						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28				

March 2017						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

April 2017						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
23	24	25	26	27	28	29
30						

May 2017						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
28	29	30	31			

June 2017						
S	M	T	W	T	F	S
				1	2	4
4	5	6	7	8	9	10
11	12	13	14	15	16	17
25	26	27	28	29	30	

July 2017						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

August 2017						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

September 2017						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

October 2017						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

November 2017						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

December 2017						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

January	Architect Board Meeting
January 27	Landscape Architect Board Mtg, Olympia
February 7	Funeral & Cemetery Board Mtg, TBD
February 9	Engineers Cmte/Special Bd Meeting, Seattle University
February	NCEES MBE Meeting
February	ICFSEB Annual Meeting
March 10-11	NCARB Regional Summit, Jersey City, NJ
March	LSAW Annual Conference
March	Geologist Board Meeting
April 5 - 8	ASBOG COE, Flagstaff, AZ
April 6	Architect Board Meeting, Pullman, WSU
April 13	Engineers Cmte/ Special Bd Meeting , CWU Ellensburg
April 18	Collection Agency Board Mtg, Olympia
April 21	Landscape Architect Board Mtg, Spokane
May 2	Funeral & Cemetery Board Mtg, Tumwater
May	NCEES Regional Meeting
June	Geologist Board Meeting-
June 14-15	Engineers Cmte/Annual Bd Meeting, SeaTac
June 21-24	NCARB Annual Meeting, Boston, MA
July 21	Landscape Architect Board Mtg, Olympia
August 1	Funeral & Cemetery Board Mtg, TBD
August	Engineers Cmte/Bd Meeting
August	NCEES National Meeting
August 24	Architect Board Meeting, Vancouver, WA
September	Geologist Board Meeting
September 19	Collection Agency Board Mtg, Olympia
September	CLARB Annual Meeting
September	NACARA annual Meeting, Bellevue, WA
October 19	Engineers Cmte/Special Bd Meeting, Spokane
October 20	Landscape Architect Board Mtg, Olympia
Oct. 30 - Nov. 1	ASBOG Annual Meeting, Portland, OR
November 2 -4	ASBOG COE, Portland, OR
November 7	Funeral & Cemetery Board Mtg, Tumwater
November 16	Architect Board Meeting, Seattle UW
December 7	Engineers Cmte/Special Bd Meeting, WWU Bellingham
December	Geologist Board Meeting-

Geologist **Architect** **Funeral & Cem** **Landscape** **Collection Agencies** **Engineers**

Conference dates on calendar include travel days.

AAG Conflict

State Holidays: Jan 2 & 16 Feb 20 May 29 July 4
Sept 4 Nov 10, 23-24 Dec 25

MESSAGE FROM ASBOG PRESIDENT ROBERT HENTHORNE, PG

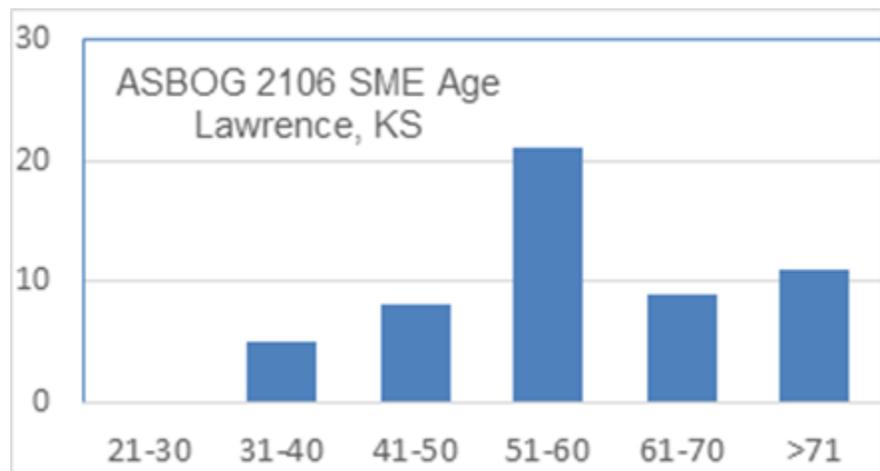
Good Afternoon All,

We would like to extend a big thank you for all who participated in the Administrator's Workshop, Annual Meeting, field trip, and Fall COE Workshop in Lawrence, Kansas. Attendance was impressive at each of these events, with nearly 70 people joining us on the field trip – see attached photos of the four stops made. We had strong attendance at the Administrator's Workshop and Annual Meeting as well, which is a testament to Member Board support of and interest in the success of this organization.

Thirty-five people representing 20 Member States attended the Administrator's Workshop and 50 people representing 26 Member States, 23 of which were Voting Delegates, attended the Annual Meeting. The participants consisted of a good representation of Board Members, Administrators, Testing Agencies, and member societies from Canada, which provided diverse perspectives and fostered interesting and productive discussion. We are very appreciative of all participants, but particularly Charles Horton (TX), Christine Valentine (OR), Laurie Racca (CA), Pam Groose (MO) for their willingness to share their significant experiences on specific topics of interest during the Administrator's Workshop.

We have continued to build and diversify participation in the COE Workshop. Of the 54 subject matter experts that participated in the Workshop:

- Representatives from 25 of our Member States attended, providing a varied geographic perspective.
- About 25% of the SMEs participating were new to the Workshop: 4 represented Member Boards and 10 with Member-at-Large status.
- Women represented 20% of the SMEs.
- There was widespread diversity in technical discipline with a good mix of academicians and practicing geologists.
- Representation of different age groups also continued to improve, as shown in the graph below.



Jack Warner, ASBOG's Psychometrician was delighted with the record turnout for the COE Workshop. He mentioned that the SMEs accomplished so much because of the excellent attendance, as it afforded opportunity for breakout of a third group of SMEs to write new questions for inclusion into the Item Banks. Jack indicated that, *"the workshop participants did a fine job reviewing and evaluating the test questions, and I witnessed numerous high-level discussions on ways to further improve the quality of the test items."* He went on further to say, *"I always enjoy watching dedicated professionals work together with a mission to improve the quality and fairness of the examinations...and when they enjoy their experiences it makes the workshop extra special!"*

Planning is well underway for the 2017 Spring COE Workshop which will be conducted on April 6-7, 2016 in Flagstaff, AZ. We will be hosting a field trip April 8, 2016 as well as lunchtime presentations during the COE to augment the professional experience of our Subject Matter Experts. Let's continue the momentum with another strong turnout for the Spring COE Workshop. We look forward to seeing you all there!

Sincerely,

A handwritten signature in black ink that reads "Robert Henthorne". The signature is written in a cursive, flowing style.

Robert Henthorne, PG
ASBOG President - 2016

Board Meeting

Tab 4

Old Business

Topics from past meetings, presented for update, action or further discussion by the board.

Geologist Licensing Board

Board or Staff Assignments

Date Assigned

<i>Agenda Item</i>	<i>Action Item</i>	<i>Assigned to</i>	<i>Status</i>	<i>Due Date</i>
9/13/2016 ..	Ms. Doyle, Ms. Webb, Mr. Mitchell and Mr. Norman will work with Oregon's board regarding future outreach partnership.	Doyle, Mitchell, Webb, Norman	In process	<i>Due Date</i> <input type="checkbox"/> <i>Completed</i> <input type="checkbox"/> <i>Out dated</i>
9/13/2016 ..	Mr. Beaman and Mr. Tebb will provide a list of suggested changes to the Guidelines to be reviewed at the next board meeting.	Beaman, Tebb	In process	<i>Due Date</i> <input type="checkbox"/> <i>Completed</i> <input type="checkbox"/> <i>Out dated</i>
9/13/2016 ..	Mr. Webb and Mr. Wessel will finalize outreach document edits and determine next steps. Ms. Brumfield will assist with the edits.	Webb, Wessel, Brumfield	In process	<i>Due Date</i> <input type="checkbox"/> <i>Completed</i> <input type="checkbox"/> <i>Out dated</i>
6/7/2016 ..	Provide a list of suggested changes to the Guideines for Engineering Geology Reports in Washington document at the next meeting.	Beaman	In process	<i>Due Date</i> <input type="checkbox"/> <i>Completed</i> <input type="checkbox"/> <i>Out dated</i>
6/7/2016 ..	Work with the Rules Committee on language regarding work experience in lieu of education pertaining to licensure requirements.	Mitchell	In process	<i>Due Date</i> <input type="checkbox"/> <i>Completed</i> <input type="checkbox"/> <i>Out dated</i>

Board Meeting

Tab 5

Complaint Cases for Review

Complaint closure recommendations
presented by the assigned case manager.

Board action is required on each case.

Board Meeting

Tab 6

Legal Issues for Deliberation

Negotiated settlement orders or default orders presented by the board's prosecution team.

Board action is required on each order.

Board Meeting

Tab 7

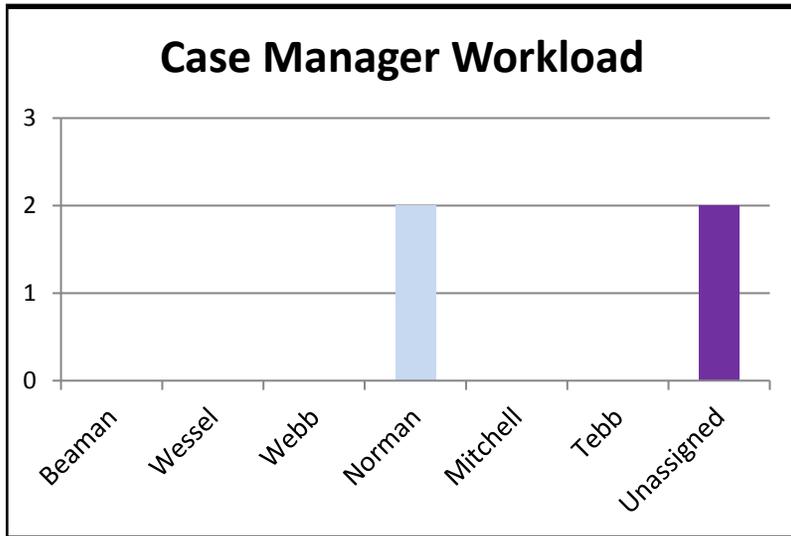
Disciplinary & Investigation Reports

Standard disciplinary reports and a list of any administratively-closed complaints.

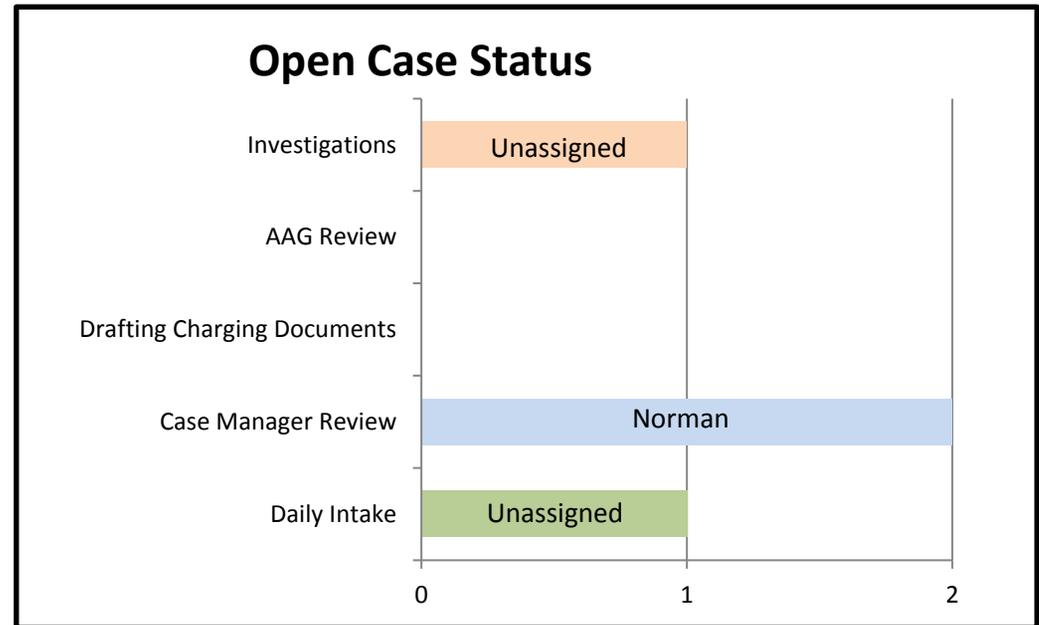
Provided for information only – typically no board action is needed.

Geologists - Open Cases

Open Cases: nature of complaint	
Unprofessional conduct	0
Practice with an invalid license	0
Practice outside of scope of license	2
Aiding/Abetting unlicensed practice	0
Unlicensed practice (U/L)	1
Undetermined	1
Total	4



Recent Case History	2016	2015	2014
Beginning amount	2	2	4
Opened	5	4	3
Closed	3	4	5
Ending Amount	4	2	2



Typical Complaint Process (Open Case Status)

- o Staff receive complaint (Daily intake)
- o Staff evaluate complaint (Daily intake)
- o Staff use BAP if appropriate (BAP)
- o Staff assign to Case Manager (CM) (Case Manager Review)
- o CM review; determine whether to investigate (Case Manager Review)
- o Staff investigate complaint (Investigations)

o If no evidence supports allegation, CM recommend closure (Case Manager Review)

o If evidence supports allegation, CM determine sanctions (Case Manager Review)

- o Staff drafts charging documents (Legal)
- o Board Attorney reviews charges, moves forward with prosecution (AAG)

Geologists - Closed Cases

Maximum fine allow per violation:

Unprofessional conduct - \$5,000 / per occurrence

Unlicensed practice - \$1,000 / per day

Range of other sanctions available (not inclusive)

Revoke license

Suspension (not stayed)

Suspension (stayed)

Reprimand

Law summary

Severe



Mild

Common Resolution Methods (2013-2016)

Allegation	Admin. Closure	Closed with no action *	Default orders	Negotiated settlements	Hearing
Unprofessional conduct	0	6	1	0	0
Practice with an invalid license	n/a	0	0	1	0
Practice outside of scope of license	n/a	0	0	0	0
Aiding/Abetting unlicensed practice	n/a	0	0	0	0
Unlicensed practice	n/a	7	2	0	0
Other	0	0	0	0	0

Administratively close if outside of board's jurisdiction

Closed with no further action if 1) compliance; 2) no violation; 3) no evidence of violation

Compliance Monitoring

Cases monitored for compliance	2
Cases sent to collections	1
Monetary sanctions due (fines)	\$ 2,000.00
Fines recovered to date	\$ 1,000.00
Outstanding fines	\$ 1,000.00

Past Board Sanctions

Sanction	Unlicensed Activity	Unprofessional Conduct
Cease and Desist	2	0
Fine	3	0
Reprimand	3	0
Revocation	0	1

Run date: 11/23/2016

Board Meeting

Tab 8

Assistant Attorney General's Report

Presentation of general legal issues
of interest to the board.

Provided for information only –
typically no board action is needed

Board Meeting

Tab 9

Committee/Task Force Reports

Reports and updates from the board's
standing committees or task forces.

Board action may be needed.

Board Meeting

Tab 10

Board Administrator's Report

Operational reports and information
about legislative matters of interest to the board.

Provided for information only –
typically no board action is needed.

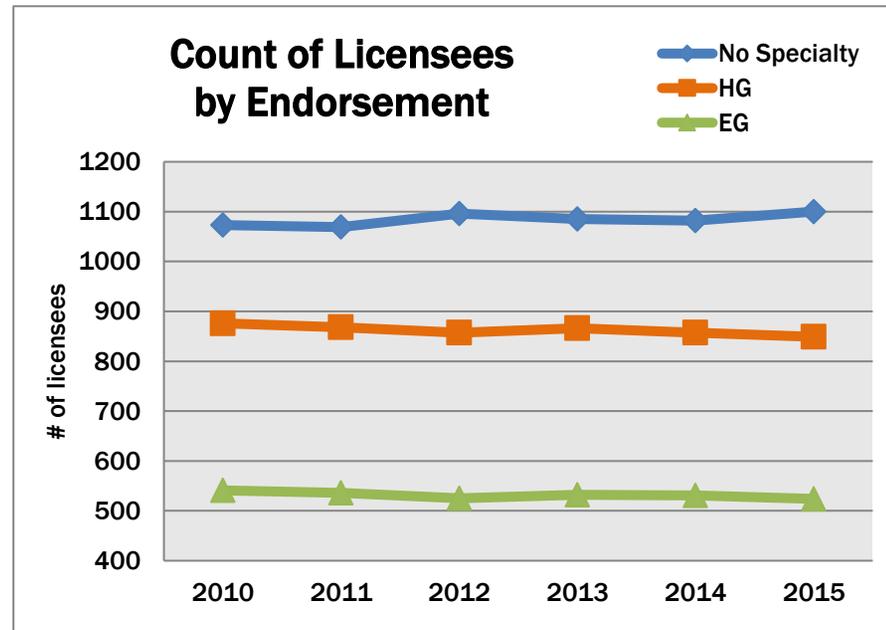
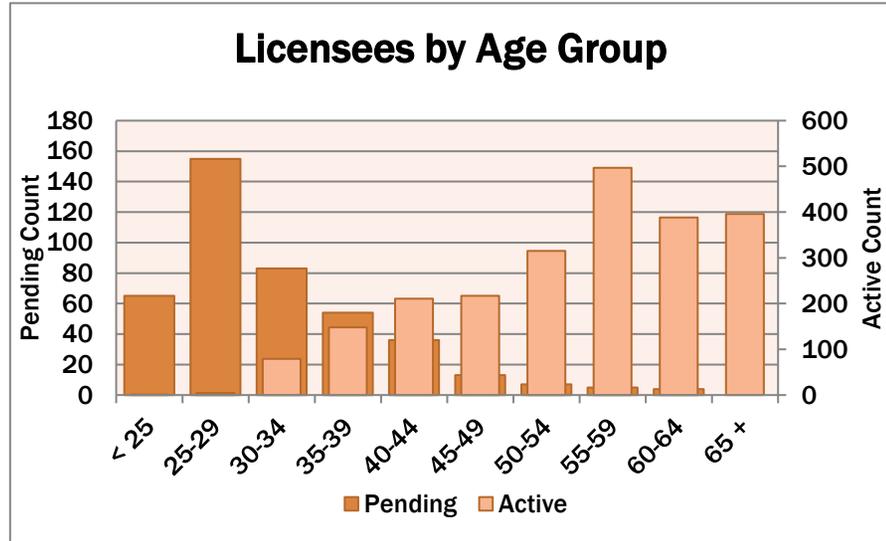
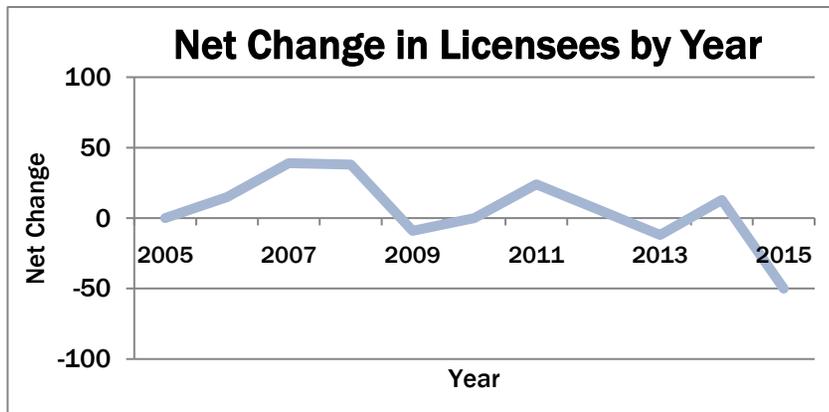
Geologists - Licensee Demographics and Trends

Active Licensee Counts	Male	Female	Undeclared
No Endorsements	847	250	7
HG Only	533	118	2
EG Only	296	44	5
Both Endorsements	149	6	0
Pending*	267	152	3
Newly Licensed	4	1	0
Total	1245	320	10
			1575

*Pending counts are for pending initial and reciprocity licenses, not pending endorsements.

Geologist In Training (passed FG)				
Age	Mode vs. Average **	Male	Female	Undeclared
	26 - 28.3	85	55	3
				143

**most frequent value vs average value



Geologists - New Licensees since 8/26/2016

<u>Name</u>	<u>City, State</u>	<u>Qualified By</u>
Adam Jones	Portland, OR	Reciprocity
Christer Loftenius	Spokane, WA	Reciprocity
Christopher Augustine	Portland, OR	Reciprocity
James Wilcoxon	Ashland, WA	Reciprocity
Jessica Malone	Denver, CO	Reciprocity

<u>Name</u>	<u>City, State</u>	<u>Qualified By</u>
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Board Meeting

Tab 11

Other Business

Review of action items from this meeting, agenda items for the next meeting, and discussion of topics added under the Order of the Agenda.

Board Meeting

Tab 12

Adjournment