

Linking You With the Florida Board's Latest Engineering News and Information

July 2024

CE Reporting Now Mandatory for All Florida-licensed PEs

All Professional Engineers licensed in Florida must report their continuing education to renew their licenses during the upcoming renewal period.

Florida Statutes required this change because the percent of PEs failing the random CE audit was too high for two consecutive renewal periods.

To renew your PE license for another two years, you must complete 18 hours of continuing education by Feb. 28, 2025. Of the 18 hours, one hour must relate to the Florida laws and rules of Professional Engineers from a Board-approved provider, and one hour must relate



to professional ethics. Four hours must relate to area of practice. The remaining 12 hours may be related to any topic pertinent to the practice of engineering.

Only the Florida laws and rules course will be reported directly by the CE provider; you must report the other 17 hours using the free NCEES CPC Tracking system.

We have <u>step-by-step instructions on our website</u> that will help you set up a free NCEES account and begin uploading your CE documentation.

As you complete your CE courses, start uploading your documents to your NCEES CPC Tracking account, but do not send your CE transcript to FBPE until after you have completed all of your continuing education courses.

Also, do not mail or email your CE documentation directly to FBPE; you must use the NCEES CPC Tracking tool. The only continuing education course that you must report directly to FBPE is the Advanced Building Code course.

FBPE will begin verifying completion of continuing education after renewal closes.

Since the Florida laws and rules course will be reported directly by CE providers, it will be the only course that will show up in your account at myfloridalicense.com. You should verify that the current course shows up in your licensure record by logging into your account at myfloridalicense.com. If it is missing, contact your course's provider. your PE license will not renew if the Florida laws and rules course is missing from your licensure record.

The NCEES CPC Tracking system and the licensure system at <u>myfloridalicense.com</u> are not linked. The CE courses that you upload to NCEES CPC Tracking will not be reflected in your account at <u>myfloridalicense.com</u>.

If you have any questions about renewing your license, please call us at (850) 521-0500 and select "Renewal" to speak to a representative, or email renewal@fbpe.org.

From the Executive Director: Beating the Summer Doldrums

By **Zana Raybon**, FBPE Executive Director & FEMC President It's too hot to do much of anything. That's almost true for FEMC/FBPE activities right now.

Since last fall, we've made presentations on PE licensure to over 2,020 students in multiple classes and organizations at FAMU-FSU, FSU-Panama City, UCF, UF, UNF, and UWF. And, we volunteered at the Student Steel Bridge Competition at the ASCE Southeast Student Symposium at UCF in March.



Right now, with colleges and universities on summer break, we are not doing many presentations. However, we will be busy in the coming months with conferences.

Look for FBPE at the FES/ACEC Florida Annual Conference in Miami from July 25- 27. We will have a booth set up. If you plan to attend, please stop by and snag some swag.

We will also be presenting to the student attendees "the path to licensure." It's always a great time to meet up with students and licensees and discuss licensure matters.

In August, many of the FBPE board members and staff will attend the 2024 NCEES Annual Meeting (103rd) in Chicago. The meeting will be held from Aug. 14-17.

Board members will be busy considering and voting on Council business, as well as attending various forums to discuss the latest in the engineering industry. NCEES also sponsors an incredibly relevant Law Enforcement Forum that some of our staff and board members will attend.

We will be attending two more regulatory conferences in early fall: the Federation of Associations of Regulatory Boards' 2024 Innovation of Competency Conference and the Council on Licensure, Enforcement, and Regulation's 2024 Annual Education Conference.

These conferences are a great way to keep current with regulatory matters in the United States, including case law, statute changes, and threats against licensure.

In addition to the conferences, we will be making our licensure presentation to engineering interns and other young staff at Kimley-Horn in Orlando and Tampa.

In addition to the conferences, we will be making our licensure presentation to engineering interns and other young staff at Kimley-Horn in Orlando and Tampa.

Once the summer is over, we will get back to visiting our Florida universities and speaking with students about the benefits of becoming a licensed PE. If you would like us to talk to your class of engineering students, please contact Bill Lampkin, our public information officer, at wlampkin@fbpe.org to get on the schedule.

In the meantime, (try to) stay cool and have a wonderful summer.

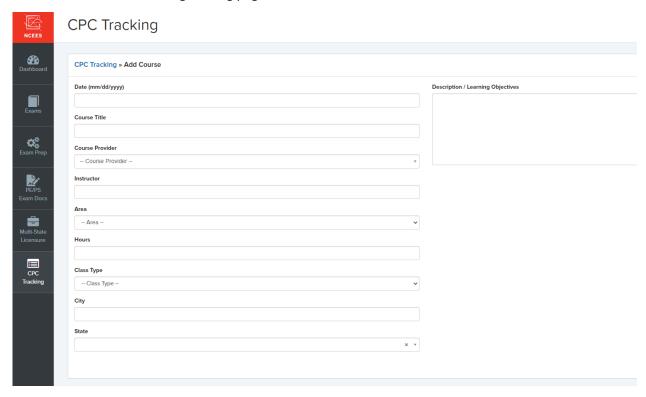
Chair's Corner: Tips for Reporting Multiple Continuing Education Credits With One Certificate

By Dylan Albergo, PE, FBPE Chair (2024)

All Florida Professional Engineers must use the NCEES CPC Tracking system to report their continuing education. But what happens when you receive only one certificate for multiple CE courses?

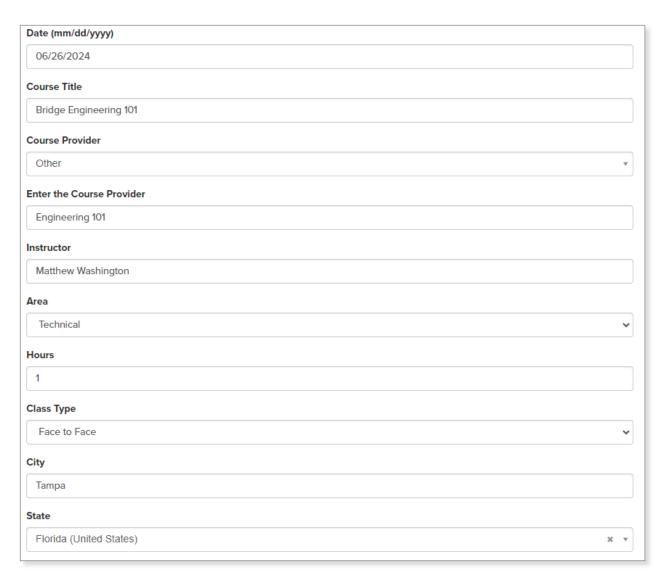
First, it's important to check to make sure that the courses and credit hours that you took match up with what is shown on the certificate. If they don't, you should contact your CE provider immediately and have the certificate corrected.

Next, log into your NCEES CPC Tracking account and begin adding courses and documentation. Below is what the NCEES CPC Tracking landing page looks like:

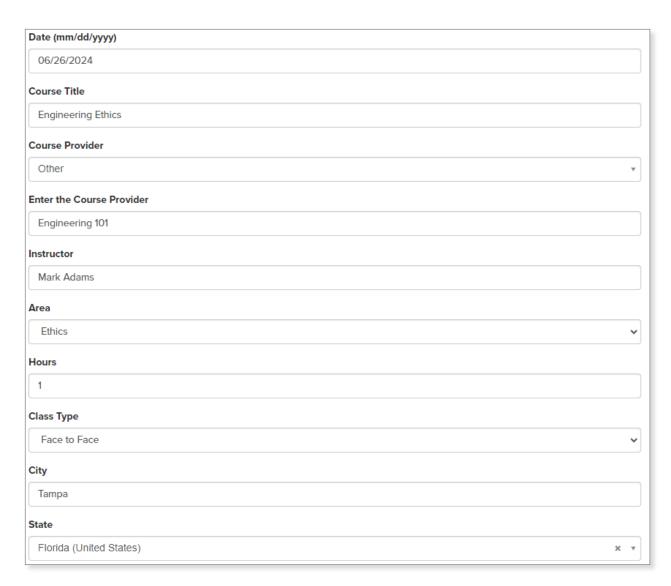


For the most part, entering your certificate information will be relatively simple. If you have been issued one certificate from a conference (or other CE provider) that includes multiple CE credits for various courses/seminars that you completed, a little more input effort will be required.

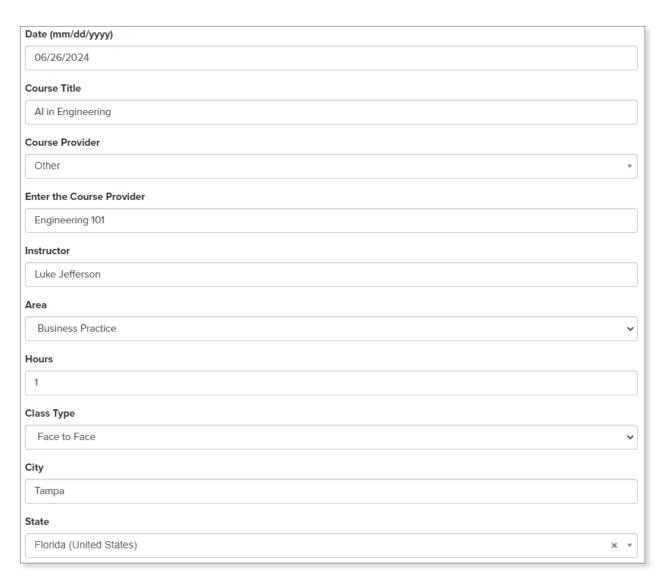
For example, Paul (an engineer whose area of practice is in bridges) received one certificate from the very prestigious Engineering 101 conference that included three CE credits. One CE credits each was earned for attending the Engineering Ethics, Bridge Engineering 101, and AI in Engineering courses. Paul will need to input each course separately but upload the certificate only once (to any of the three courses taken). See his inputs below:



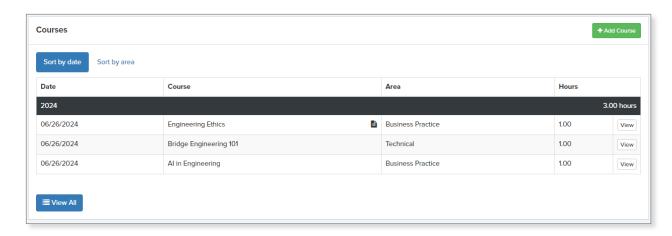
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In this example, Paul decided to upload his certificate to the "Engineering Ethics" course as indicated by the document icon next to the Course Title, and his three courses correctly add up to the three CE credits issued on his certificate. See below (please see next page):



Please note that NCEES doesn't use the same descriptions as FBPE for the types of continuing education that you must take. When adding courses, select the appropriate description in the "Area" dropdown menu:

- "Laws and Regulation" for your Florida laws and rules course;
- "Ethics" for your ethics course;
- "Technical" for courses related to your area of practice; and
- "Business Practice" for courses related to any topic pertinent to the practice of engineering.

FBPE's website has <u>step-by-step instructions</u> for setting up your CPC Tracking account and reporting your continuing education.

If you need assistance, please contact CEdesk@fbpe.org or 850-521-0500.

Your Renewal Checklist: 5 Things PEs Should Do Today

Licensure renewal begins in November for Professional Engineers licensed in Florida. Follow this checklist to make sure your renewal goes smoothly and you avoid last-minute delays.

✓ Complete & report your CE

You must have <u>completed 18 hours of continuing education</u> by the time the upcoming licensure renewal period closes, at midnight Feb. 28, 2025. And, beginning with this renewal period, you must report your CE courses using the free NCEES CPC Tracking system. (See the above article.)



Keep in mind that of those 18 hours, one hour must relate to the Florida laws and rules of Professional Engineers from a Board-approved provider, and one hour must relate to professional ethics. Four hours must relate to area of practice. The remaining 12 hours may be related to any topic pertinent to the practice of engineering.

Because too many PEs were failing the random CE audits, reporting of continuing education completions is now mandatory for all PEs licensed in Florida.

See our step-by-step instructions on using NCEES CPC Tracking for report your continuing education.

Rember that you must <u>retain certificates for continuing-education courses</u> for at least two renewal periods, or four years.

√ Your password

Log into your account at the Department of Business and Professional Regulation's website, <u>myfloridalicense.com</u>, and confirm that your PE license is linked to your account. If it isn't, follow the instructions on <u>our PE License Renewal: Step-by-Step</u> page.

You will need access to your account to renew your PE license, as well as to receive a printable copy of your license. If you discover that you have misplaced your password or that your account or license is associated with a different email address, contact the Board at (850) 521-0500 for assistance.

√ Your contact information

While you are logged into your account, check that your contact information is up to date.

Florida statutes require that PEs licensed in the state keep their contact information up to date with the Board. This includes your email address and mailing address. (See Section 455.275(1), Florida Statutes.)

You can update your contact information in the licensure portal <u>by following these steps</u>. Or, you can fill out <u>the Change Contact Information form</u> on our website.

✓ Board emails

If you haven't been receiving emails from FBPE, including the quarterly <u>Connection newsletter</u>, you may have unsubscribed to all FBPE emails. That means you won't receive notifications and reminders regarding your PE license renewal. Use <u>our Resubscribe to FBPE Emails page</u> to ensure that you receive important information regarding your Florida PE license. (If you're uncertain, <u>resubscribing</u> won't hurt.)

Also, check your spam filter for FBPE emails with a return address that ends with "@fbpe.org". Emails sent by the Board will have only that domain address.

✓ Your PE license status

Check the status of your PE license at myfloridalicense.com.

If your license is delinquent, you must pay both the renewal fee from the previous renewal period and a delinquent fee before you can renew your license for 2025-27.

If it is null and void, you will need to have your license reinstated. Please see the *Other Forms* page on our website.

Look Out for Engineering-related Forgeries

By William (Rick) Huett

The Alabama Board's staff routinely communicates with other state boards concerning licensure and enforcement matters. Recently, several boards indicated a rise in the number of complaints they have received regarding forged engineering seals and signatures on engineering documents.

A few noted examples include the following:

- An individual applied for a position as a mechanical engineer at a firm. Once employed, the individual was asked to provide their PE number for the company roster. The individual provided a number that the firm learned is issued to someone else. The individual resigned from the firm before facing termination.
- The child of a licensed engineer continued to use their parent's seal and signature to perform work after the licensed parent died.
- An unlicensed individual working for a licensed individual began using the seal and signature of the licensee without their knowledge.
- An unlicensed individual created a digital seal that contained a licensed engineer's information and began creating engineering documents.
- An individual failed the PE exam but did not want to tell their boss, so they advised their boss that they had passed and created a digital seal to

begin sealing engineering work.

- An individual went to the board office advising that they were having trouble renewing their license. Staff could not locate the individual's information in the database, and it just so happened that the individual brought a copy of their wall certificate with them. Staff was able to determine the individual had falsified the certificate and had been working as a PE for 15 years.
- A foreign website connected professional service providers to clients, which resulted in forged sealed designs being produced and sold to the public.
- An individual made up a PE number, obtained a seal, and used the seal until a new PE applicant in their office asked them to complete their PE reference form. The applicant tried to confirm the individual's PE number on the website and learned the number belonged to someone else.

One of the worst cases the Alabama board investigated

concerned an unlicensed individual who owned a metal building construction firm. The individual would contract a PE to provide a sealed engineering design of a metal building that the individual would then sell and construct on the location chosen by the client. However, once the unlicensed individual had a legitimate copy of a set of metal building plans, he would take the engineering information and place it on numerous other metal building designs.

A formal hearing was held in which professional engineers from four different states testified that their professional seals and signatures had been forged. An order was assessed against the unlicensed individual (which he did not pay), and the board referred the case to a district attorney's office for its investigation. The unlicensed individual was arrested on multiple counts of identity theft, which



Forgeries in Florida

The Florida Board of Professional Engineers is investigating numerous allegations of forgery involving the practice of engineering, says Wendy Anderson, FBPE's lead investigator.

The cases are similar to ones described in the accompanying article.

If Florida Building Officials have concerns about potential forgeries related to engineering documents, please contact Anderson at (850) 521-0500, ext. 119, or wanderson@fbpe.org.

eventually led him to plead guilty, pay a fine, and be sentenced to jail time while awaiting trial (about a year).

Although the Alabama board never received another complaint regarding the individual (he is now deceased), we would hear rumors occasionally that he was continuing this same type of activity in other states.

These are just a few examples of what lengths people will go to create or forge an engineering seal, which is a great indicator that the more security you can attach to your professional identification, the better.

If you have questions or concerns about a potential engineering forgery in Florida, please contact Wendy Anderson, lead investigator for the Florida Board of Professional Engineers, at 850-521-0500, ext. 119, or wanderson@fbpe.org.

This article is reprinted with permission from the NCEES Licensure Exchange newsletter (June 2024).

About the author

William (Rick) Huett is executive director of the Alabama State Board of Licensure for Professional Engineers and Surveyors.

Know Your Rights Following a Complaint

By John J. Rimes III, Esq.

When a <u>complaint</u> is opened against a Professional Engineer, the PE has the right to respond with any information that might be relevant to the issues that formed the basis of the complaint.

After being notified by the Florida Board of Professional Engineers of the complaint and the basis for it being opened, most PEs file a response that is considered during the investigation into the complaint. Usually, the material received from the PE addresses the issues that are used to resolve the complaint, either with a Closing Order or with an Administrative Complaint.



However, that is not always the case.

PEs should be aware that when an investigation is opened, the issues that were initially alleged in a complaint may not necessarily be the same as those that surface during the investigation. For example, it is not unusual for a case involving technical engineering issues to be expanded during the investigation to include matters not discussed in the initial complaint, either by new facts coming to the investigator's attention or by new issues identified by the Board's engineering consultant during a technical review.

Thus, the ultimate charge against the PE may not be the same as that contained in the initial notice of complaint that was sent to the PE. The law does not require the Board or the Florida Engineers Management Corporation to send out additional notices if things change during the investigation.

The law provides a method for the PE to be made aware of changes to the scope of the case. A PE has the right to see the outcome of the investigation before the file goes before the Board's Probable Cause Panel, or PCP, and to submit a response that will be considered by the panel.

<u>Section 455.2255(1)</u>, <u>Florida Statutes</u>, <u>Classification of Disciplinary Actions</u>, provides that a PE can, by filing a written request with FEMC during the investigation, receive a copy of the final investigative report and can file a written response to that report. However, a written request must be filed with FEMC before the case is complete to take advantage of this right.

As a result, PEs would be well advised, in any response to the initial notification that a complaint has been filed and an investigation opened, to make an explicit request for a copy of the final investigative report. This gives the PE a last chance to respond to the matters that are going before the Probable Cause Panel. Such a right when exercised can be crucial to the fairest resolution of the case.

As a matter of fact, on several occasions, by seeing the final report, the PE could have ended any likelihood that an Administrative Complaint would be issued by providing dispositive answers to issues that arose during the investigation, but that were not necessarily discernible from the initial complaint material. If the PE had sent that information to FEMC before the case went to the panel then it is very likely that charges would not have been brought. By not taking advantage of this statutory right, however, the PE was charged with a violation that could have been avoided.

In short, if a PE receives notice that a complaint has been filed and an investigation opened, then at a minimum the PE should request in writing to be sent a copy of the final investigative report prior to the transmission of the file to the PCP.

To learn more about the complaint and enforcement process, visit the <u>Legal Overview page</u> on FBPE's website, <u>fbpe.org</u>.

About the author

John J. Rimes III is the Florida Board of Professional Engineers' chief prosecuting attorney and the Florida Engineering Management Corporation's vice president.

Recent Updates to Florida Engineering Rules

<u>Chapter 61G15, Florida Administrative Code</u>, contains the rules that govern the practice of engineering in Florida. The rules are adopted by the Florida Board of Professional Engineering based on <u>Chapter 471, Florida Statutes</u>, <u>Engineering</u>.

The rules are regularly reviewed and updated by the Board.

The latest changes, as of May 27, 2024, include:

- 61G15-22.012 Obligations of Continuing Education Providers.
- 61G15-24.001 Schedule of Fees.
- 61G15-30.006 Delegation of Engineering Documents: Obligations of the Delegated Engineer of Record.

Changes in the following rules pertained only to the rule's sunset clause:

- 61G15-19.0071 Citations.
- 61G15-19.008 Confidentiality of Investigations.
- 61G15-35.0021 *Definitions*.
- 61G15-35.003 Qualification Program for Special Inspectors of Threshold Buildings and Special Inspectors of Threshold Buildings (Limited).

Changes are highlighted in the PDF available on the <u>Statutes and Rules page</u> in the <u>Legal</u> section of the Board's website, fbpe.org.

Special Recognition: Congratulations, Examinees

FBPE applauds everyone who passed engineering exams in the past quarter. We wish them much success as they move towards the next step in their engineering careers. See the complete list online.

Legal Department: Latest Engineer Discipline

Under Rule 61G15-37.001(11), Florida Administrative Code, the Florida Engineers Management Corporation is required to post all Final Orders involving active disciplinary cases to the website until the terms of the final order are completed, or until the licensee becomes inactive, retires, relinquishes the license, or permits the license to become null and void. Included in this section are the most recent cases in which final action has been taken by the Board, a brief description of the licensee's violation and discipline as well as a link to the final order. View actions.

Mark Your Calendar

We regularly update our calendar to ensure you stay up to date with the latest FBPE and FEMC events. Check out the calendar on our website.

FBPE Board Members & FEMC Directors

FBPE Board Members

Dylan Albergo, PE; Chair (2024)
Denise Ramsey, PE; Vice Chair (2024)
Christopher Dawson, Public
James Gonzalez, Public
Sam Mousa, PE
Jeb Mulock, PE
Yassi Myers, PE
John Pistorino, PE, SI
Pankaj (PJ) Shah, PE
Babu Varghese, PE, SI, CGC, CCC
Vacancy

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Edward Gonzalez, PE
Michael Lessne, Public
Art Nordlinger, PE
Dr. Mark Tumeo, PE

Zana Raybon, Executive Director
Rebecca Sammons, Assistant Executive Director
John Rimes, Chief Prosecuting Attorney
Michele Morris, FBPE Controller

Zana Raybon, FEMC President John Rimes, FEMC Vice President Rebecca Sammons, FEMC Secretary Michele Morris, FEMC Treasurer