

2022 CE Audits: A Closer Look

Part of the Board’s mission in protecting the health, safety, and welfare of the public is to ensure that the architects and professional engineers it regulates comply with continuing education requirements that practice in Nebraska. Continuing education is one of the most crucial ways to ensure that all professional engineers and architects maintain the necessary skills to practice in their respective fields. Below are the minimum requirements for engineers and architects as specified in Chapter 9 of the Board’s rules and regulations:

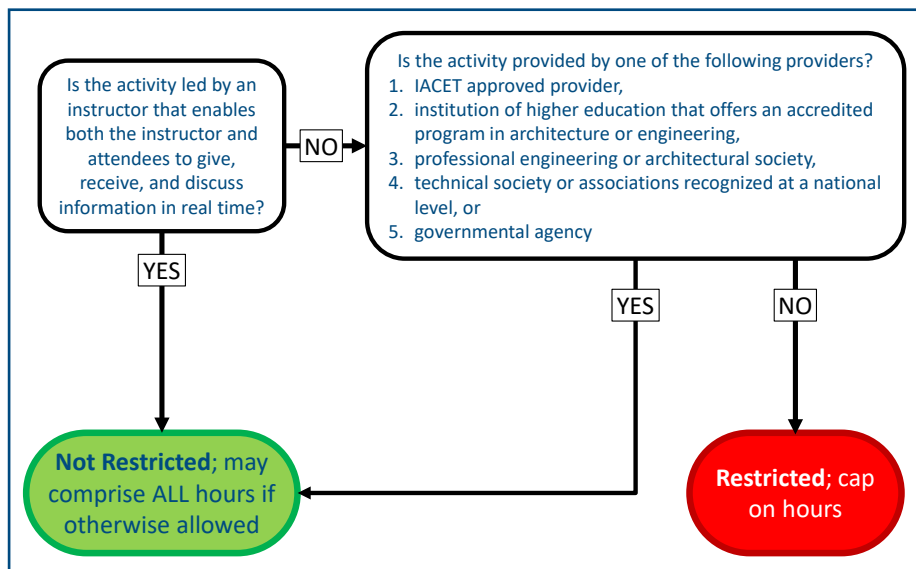
Architects: 24 hours CE — Professional Engineers: 30 hours CE

In addition, at least one hour gained every two years must be directly related to ethical issues of a licensee’s professional practice, in accordance with Rule 9.3.2. Along with this ethics hour, acceptable continuing education topics must be either: 1) technical in nature, or 2) a topic that is part of that profession’s body of knowledge as developed by the applicable national professional engineering society or categorized as a Health Safety and Welfare topic by NCARB.

Every renewal cycle, the board conducts an audit of licensees selected randomly to meet those continuing education requirements. This past year, 2022, the Board selected 104 licensees for these audits, with a completion without issue rate of only 46%. Common issues with the problematic audits were either too many web-based offerings or sub-standard record keeping.

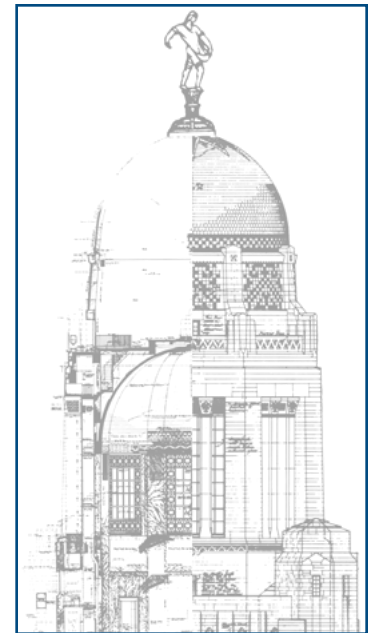
Web-Based Offerings

Per Rule 9.3.1, web-based offerings other than those provided by (1) International Association for Continuing Educational Training (IACET) approved providers, (2) institutions of higher education that have an accredited program in architecture or engineering, (3) professional engineering or architectural societies, (4) technical societies and associations recognized at a national level, or (5) governmental agencies may constitute no more than one-fourth of the biennial education requirement, that is six hours for architects or seven and one-half hours for professional engineers.



However, Rule 9.3.2 says that web-based offerings led by an instructor that enables both the instructor and attendees to give, receive, and discuss information in real time are not restricted under Rule 9.3.1. The chart above may help licensees understand the logic of Rule 9.3.1.

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BOARD MEMBERS

Brian Kelly
Chair, Architect, Omaha

Jason Suelter
Vice-Chair, Professional Engineer, Lincoln

Alan Wedige
Secretary, Architect, Kearney

Jan Bostelman
Professional Engineer, Brainard

Bruce Dvorak
Professional Engineer, Lincoln

Brett Foley
Public Member, Denton

Lenora Isom
Architect, Ashland

Daniel Thiele
Professional Engineer, Lincoln

STAFF

Jon Wilbeck
Executive Director

Jean Lais
Admin. Program Officer

Amy Habe
Compliance Officer

Josh Frerking
Public Information Officer

Diana Stahlnecker
Admin. Program Officer

Connie Belt
Accountant

Tina Hall
Office Specialist

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Recordkeeping

Every architect and professional engineer is responsible for maintaining the records necessary to support credits claimed for continuing education. Required documents include, but are not limited to:

- A log showing the type of activity claimed, sponsoring organization, location, duration, instructor’s or speaker’s name, and unit credits earned (the Board provides a fillable PDF log for licensees use on its website);
- Attendance verification in the form of completion certificate, or other documents supporting evidence of attendance; or
- Records relating to CE that are maintained by NCEES, NCARB, or other organizations.

For any questions about continuing education audits, or what is required of licensees to comply with continuing education requirements, please get in touch with the Board’s Compliance Officer by emailing NBEA.Compliance@Nebraska.Gov. ■

NCARB NEWS

ARE Practice Exams Available

NCARB offers simulations of full-length Architect Registration Examination (ARE) 5.0 divisions through ARE 5.0 practice exams. There are seven exams, all of which are available at no cost to licensure candidates. ARE 5.0 practice exams feature the same format and tools as an actual ARE division and developed using the same process and guidelines.

Licensure candidates can access the practice exams in an exam administration format, which allows candidates to experience the exam.

Architectural Experience Program (AXP) supervisors, mentors and architect licensing advisors can access a PDF version of the practice exams.

To access the practice exams:

ARE candidates with active eligibilities: Access the ARE 5.0 Practice Exams through the Practice Exam Dashboard. To access the dashboard, log into your NCARB Record, click the *Exams* tab, and navigate to the *Additional Resources* section.

Licensure candidates without active eligibilities: Access the ARE 5.0 Practice Exam through their NCARB Record. Navigate to the *Overview* tab and select *Practice the ARE*.

AXP Supervisors and Mentors: Supervisors and mentors can only access the PDF version of the ARE 5.0 Practice Exams. ■

Rolling Clock Retired

On April 30, 2023, NCARB retired the rolling clock policy, which placed a five-year expiration date on passed divisions of the ARE.

Under NCARB’s score validity policy, implemented on May 1, 2023, a passed exam division of the ARE would remain valid throughout the delivery of the exam version under which it was taken, as well as the next exam version. This means that passed exam divisions would be valid throughout the delivery of the version of the exam under which they were taken (i.e., ARE 4.0), and would be used to establish appropriate credits under the next version of the exam (i.e., ARE 5.0).

Passed divisions will expire after two versions of the exam. For example: Passed ARE 4.0 divisions will remain valid throughout the delivery of ARE 5.0 and will be retired after the next exam version is introduced. If a new version of the ARE is developed (i.e., ARE 6.0), NCARB will provide at least 18 months’ notice before retiring any version of the exam.

Some jurisdictions have a policy similar to the rolling clock written into their statutes – **Nebraska is not one of them.** Applying for licensure in Nebraska will follow the new policies set by NCARB. ■

NCEES NEWS

Registration for the October 2023 pencil-and-paper PE Structural exams will open on June 19 at 9:00 a.m. CDT and close on August 31, at 2:00 p.m. CDT. The exam will be administered in Lincoln and other select locations throughout the United States. During registration, **register with the state you wish to be licensed in** and then select the location where you plan to take the exam.

If requesting accommodations, all requests, appeals, and supporting documentation must have been received by 2:00 p.m. CDT on August 31.

LB471 Introduced in Nebraska Legislature

In January of 2023, Legislative Bill 471 was introduced in the Nebraska Legislature. According to the bill’s Statement of Intent, LB471 would “create a voluntary registration to be administered by the Board of Engineers and Architects, for qualified interior designers.”

At its January 2023 regular meeting, the Board identified several technical issues with the introduced bill’s language and voted to oppose LB471. Executive Director Jon Wilbeck testified in opposition to the bill at its public hearing on February 9, 2023, and submitted a fiscal note describing the financial impacts the bill would have on Board expenditures.

As of May 20, 2023, the bill, sponsored by Senator Tom Brewer, is being reviewed by the Legislature’s Government, Military and Veterans Affairs Committee. The Board will continue to closely monitor this bill. ■



Executive Director Jon Wilbeck testifying at LB471’s public hearing in February

Board Elects New Officers for 2023-24

The Nebraska Board of Engineers and Architects is pleased to announce new officers for 2023. At its March 2023 meeting, the Board unanimously elected Brian Kelly; Jason Suelter, SE, PE; and Alan Wedge as the Board Chair, Vice-Chair, and Secretary, respectively.

Kelly is a licensed architect and an associate professor of architecture at the University of Nebraska-Lincoln (UNL). He joined the NBEA as the Board’s education member in 2018. Outside of NBEA activities, Kelly has served on the National Council of Architectural Registration Boards (NCARB) Education Committee and the ARE 5.0 Item Writing Committee. Kelly has also served on several UNL College of



Brian Kelly

Architecture committees and the Board of the Design Alliance of Omaha (daOMA).

Suelter is a licensed civil and structural engineer with over 20 years of professional structural engineering services. Jason joined the board in 2020 and is licensed in 30 jurisdictions. For over ten years, Suelter has been a part of the National Council of Examiners for Engineering and Surveying (NCEES) examination program; Outside of his NCEES duties, Suelter is a member of the American Society of Civil Engineers, the American Institute of Steel Construction, and the Diocese of Lincoln Building Committee. He also serves on the Board of Advisors for Lincoln Pius X Catholic High School.



Jason Suelter

Wedge is the University Architect for the University of Nebraska, who joined the Board in 2022. He serves as a resource to university leadership and provides expertise, counsel, and oversight regarding campus planning, architectural and site design, strategic sustainability, energy planning, and significant capital development projects. Before joining the University of Nebraska in 1999, Alan worked in private practice focusing on historic, aviation, hospitality, and civic architecture and planning. ■



Alan Wedge

Suelter elected as NCEES Central Zone Secretary-Treasurer

This winter, the Nebraska Board of Engineers and Architects was proud to nominate Jason Suelter, SE, PE, for the National Council of Examiners for Engineers and Surveyors (NCEES) Central Zone Secretary-Treasurer position. At the Central Zone meeting, held during April in Houston, Suelter was unanimously elected. Jason is highly qualified and meets all the

requirements for the position detailed in NCEES’ Bylaws.

The Central Zone of NCEES comprises 17 licensing boards from Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota, and Wisconsin. Nebraska Board Member Jan Bostelman is the Central Zone’s Vice President.

“My service on the Nebraska Board has prepared me well to take on the responsibilities of NCEES’ Central Zone Secretary-Treasurer position. My goal is to problem solve objectively, seek innovations, and prioritize efficiency, to serve the zone, NCEES, and the State of Nebraska,” said Suelter. ■

Board Welcomes New Staff

The Board welcomes new Public Information Officer **Josh Frerking**, who joined the Board staff in October.



Josh Frerking

Frerking was born in Tomball, Texas, and attended Concordia University in Seward, Nebraska, where he earned his Bachelor of Arts in history.

Josh joins the staff after working for the State's Department of Administrative Services. Josh will work closely with the Board and Board staff to continue communicating with the public about the Board's mission and when licensed architects and professional engineers must be involved in new building or renovation projects.

The Board also extends a warm welcome to its new Administration Programs Officer, **Diana Stahlnecker**.



Diana Stahlnecker

Diana joins the Board Staff after working with the Nebraska State Department of Corrections as an Administrative Specialist for Health Services.

She graduated with honors from Bellevue University with a Bachelor of Science in Organizational Communications. Diana is a Navy veteran and has sung with the Omaha Symphonic Chorus.

Diana will assist staff in processing initial license and exam applications from licensees and is also the primary point of contact for the Nebraska Board of Geologists and the Nebraska State Board of Landscape Architects. ■

NBEA Outreach and the Board's Lunch and Learn Webinar Series

Last year, the board started hosting a series of webinars, the NBEA Lunch and Learn Series. These webinars are designed to reach various audiences including city and county building officials, licensees, organizations, and future engineers and architects in Nebraska and around the US, to stay current on the latest EA Act changes and act as refreshers for commonly misunderstood rules and regulations.

This year, two webinars were offered. The most recent hosted in April discussed misunderstood rule changes regarding the licensee seal and the coordinating professional (Chapters 5 & 6 in the NBEA handbook). Upcoming webinars planned include a presentation with the Nebraska State Fire Marshal's office, discussing the plan submittal process in-depth, and allowing licensees to ask the fire marshal's team common questions.

The Board recently communicated with all licensed architects and professional



engineers to seek feedback on future Lunch and Learn topics, and many responses were received. Topics being considered for future webinars include ethics, case studies of recent and relevant compliance cases to licensees, proper use of electronic seals and signatures, and more information about what a coordinating professional is and what that individual's responsibilities are.

If you have topics that you would like the Board to cover at an upcoming Lunch and Learn, please email NBEA.Marketing@Nebraska.Gov. ■

Charles G. Nelson, 1937-2023

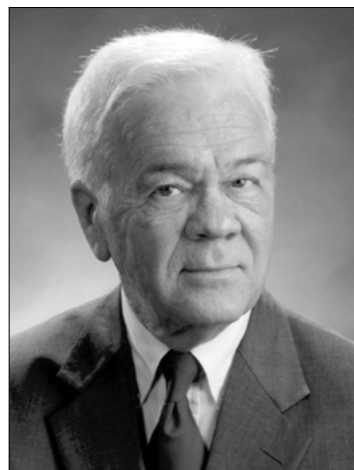
The Board is saddened to hear of the passing of architect Charles G. Nelson, who served as Executive Director of the Board from 1991 to 2005.

Mr. Nelson graduated from the University of Nebraska-Lincoln with a Bachelor of Architecture and a Master of Business Administration, the combination of which served the citizens of Nebraska well in his role as Executive Director. Mr. Nelson also led efforts to modernize the Nebraska Engineers and Architects Regulation Act in the late 1990s.

Prior to his service as Executive Director, Mr. Nelson rose to Vice President and Principal at The Clark Enersen Partners in Lincoln, where he worked from 1963 to 1989. Before that, he worked at the offices of Robert B. Gibb and Associates in Lincoln starting in 1961. He was also a member of the American Institute of Architects and held an NCARB Certificate.

In his application to the Board, he wrote, "His first interest is architecture; not only the doing of it but the enabling of it, managing those intruding influences that impact on the ultimate success of a project, whether they be cost, time, function, staffing, finance, regulation, consultants, politics, or acts of God."

The Board extends its sympathies to Mr. Nelson's family and friends. ■



Licensure Updates

NEWLY-LICENSED ARCHITECTS

Hannah J. Schafers Lincoln, NE

NEWLY-LICENSED P.E.s

Architectural

Riley C. Johnson Omaha, NE
Cody R. Starkey Omaha, NE

Civil

Mostafa M. Aboelkhier Omaha, NE
Lucy O. Ampaw-Asiedu Omaha, NE
Joseph M. Baratta Lincoln, NE
Alexander J. Bernhardson Lincoln, NE
Richard A. Bishop Lincoln, NE
Erika L. Bowman Denver, CO
Paige T. Chmela Norfolk, NE
Rebekah L. DeFusco Omaha, NE
Greta F. Ehrhorn Papillion, NE
Robert J. Greenberg Kearney, NE
Bryce A. Hallmark Omaha, NE
Alexa K. Hazelton Lincoln, NE
Alexander D. Heywood Omaha, NE
Katelyn A. Knuth Hastings, NE
Matthew L. Magee Omaha, NE
Morgan L. McCullough Omaha, NE
Sean W. Murphy Omaha, NE
Cody D. Myers Osceola, NE
Nam H. Nguyen Lincoln, NE
William B. Nicholson Elkhorn, NE
Elliott G. Nohr Lincoln, NE
Ashley L. Sadler Denver, CO
Dylan L. Schiltz Omaha, NE
Dallas J. Schroeder Grand Island, NE
Samuel D. Sobczyk Omaha, NE
Matthew A. Walstrom Omaha, NE

Electrical and Computer

Ryan A. Allen Omaha, NE
Tyrell I. Galloway Lincoln, NE
Jess A. Hipke Lincoln, NE
Adam J. Schlotthauer Waverly, NE
Travis S. Spiehs Grand Island, NE
Brian P. Turner Columbus, NE
Tyler J. Weis Kansas City, MO
Jason D. Wurst Sutherland, NE

Environmental

Ben J. Everswick Fort Calhoun, NE
Vincent D. Kuppig Lincoln, NE
Hillary J. Stoll Lincoln, NE

Mechanical

Zachary J. Bell Lincoln, NE
Jonathan Fletcher Elkhorn, NE
Nathan D. German Omaha, NE
Dustin A. Hill Omaha, NE
John S. C. Meyers Lincoln, NE
Joseph K. Mise Bellevue, NE
Jason T. Rueschhoff Omaha, NE
Lane M. Wagner York, NE
Joshua S. Winslager Elkhorn, NE

Naval Architecture and Marine

Amgad F. Morgan-Girgis Omaha, NE

EMERITUS

Architect Emeriti

Robert M. Lee Sioux City, IA
Stephen L. Lewallen Wichita, KS
Robert J. Mabrey Fort Myers, FL
Michael R. Mayse Dallas, TX
Susan A. McKie Waterloo, NE
Dale H. McKinney Sioux City, IA

Clark E. Miller
Stanley R. Mills
John H. Newcomer
Michael E. Ossian
John C. Patterson
Thomas E. Penney
Ronald L. Policky
David A. Pontia
Nestor T. Popowych
Allen F. Rapacz
Ronald E. Rehtus
Taal R. Safdie
James A. Schramm
Debra L. Schwartz
Douglas A. Shapland
Stephen J. Silkworth
Scott A. Stauffer
Richard D. Sutton
Michael E. Tangney
Richard B. Torek
Wayne V. Usiak
Fernando Zarate

Elk Grove Village, IL
Antioch, TN
Olathe, KS
Scottsdale, AZ
Lawrence, KS
Omaha, NE
Omaha, NE
Fred L. Richardson
New Albany, OH
Naples, FL
Billings, MT
Lincoln, NE
San Diego, CA
Yankton, SD
Omaha, NE
Omaha, NE
Littleton, CO
Andover, KS
Minneapolis, MN
Omaha, NE
Lincoln, NE
Albuquerque, NM
Omaha, NE

Patrick L. Pope
Michael T. Potter
Danny L. Pudenz
Cynthia L. Quast
Ron Renna
Kalpeshkumar K. Ribadia
Katy, TX
Tulsa, OK
James K. Richstein
Curtis A. Rickertsen
David G. Ried
Gregory J. Riley
Jeffrey L. Roberts
Alberto Rodriguez
Matthew G. Rogers
Joseph T. Rudd
Ralph D. Sasges
Shrenik P. Savani
Thomas Z. Scarangelo
Dennis L. Schaffer
Chase R. Schelhaas
Charles E. Schmitt
Kathleen E. Schneider
Benjamin J. Schroeder
Robert D. Schutt
William C. Schwartzkopf
Allen L. Sehr
Roger K. Severin
Waleed Shaheen
Joseph C. Shulo
David A. Sinsheimer
Mark A. Skelskey
Kevin C. Skibiski
Dean R. Smith
Michael T. Smith
Christopher W. Snowdeal
Richard A. Snyder
Robert M. Steele
Gregory V. Steele
Steven E. Stephens
Marylee F. Stobbe
John J. Stobbe
Frank R. Sturzl
Ronald L. Sutton
Ronald N. Tekippe
Edward L. Thiele
John C. Thomason
William L. Toney, Jr.
Michael F. Trotter
Christopher Y. B. Tuan
Garold G. Ulmer
Michael L. Vannatta
Robbin R. Vannoy
Randal J. Veik
Ronald D. Volberding
Henry L. Walters
Clifford W. Walton
GiKai Wang
James H. Wathen
Brian T. Wertz
Scott L. Wilson
Kristine I. Winter
Foster City, CA
Kent A. Wohlers
Kenneth R. Wright
Steven M. Youngs
Salah A. D. Yousef
Robert K. Zaruba
William J. Zerkas
David D. Zimpel
Michael J. Zucker

Columbus, NE
Shell Knob, MO
Lincoln, NE
Iowa City, IA
Lakeland, FL
Katy, TX
Tulsa, OK
Bellevue, NE
Lexington, NE
Elkhorn, NE
Cincinnati, OH
Pacific Junction, IA
San Antonio, TX
San Diego, CA
York, PA
Omaha, NE
Overland Park, KS
Southampton, NY
Adel, IA
Omaha, NE
Casper, WY
Hart, MI
McGregor, TX
Omaha, NE
Denver, CO
Lathrop, MO
Lincoln, NE
Council Bluffs, IA
Ralston, NE
Fort Worth, TX
Arvada, CO
Ozark, MO
Hopkins, MN
Omaha, NE
Bangor, ME
Columbus, NE
Glendale, AZ
Lincoln, NE
Memphis, TN
Omaha, NE
Omaha, NE
Green Bay, WI
Pekin, IL
Council Bluffs, IA
Omaha, NE
Charlotte, NC
Danese, WV
Fort Dodge, IA
Omaha, NE
Ashland, NE
Council Bluffs, IA
Altoona, IA
Omaha, NE
Omaha, NE
Lincoln, NE
McDonald, PA
Waltham, MA
Lincoln, NE
Lincoln, NE
Red Lodge, MT
Hot Springs, SD
Bennet, NE
Denver, CO
Minneapolis, MN
Overland Park, KS
Bennington, NE
Saint Paul, MN
Iron Station, NC
Deshler, NE

Professional Engineers Emeriti

Omaha, NE
Omaha, NE
Colorado Springs, CO
Jacksonville, OR
Wentworth, SD
Midlothian, VA
Ames, IA
Omaha, NE
Omaha, NE
Concord, CA
Austin, MN
Addison, TX
Omaha, NE
Springfield, OH
Novi, MI
Lincoln, NE
Fort Wayne, IN
Omaha, NE
Omaha, NE
Troy, KS
Yutan, NE
Glenwood, IA
Lincoln, NE
Overland Park, KS
Grand Forks, ND
Lincoln, NE
Omaha, NE
Lexington, KY
Carbondale, KS
Omaha, NE
Omaha, NE
Lakewood, CO
La Vista, NE
Colorado Springs, CO
Worthington, MN
Lake Mills, WI
Seattle, WA
Foster City, CA
San Antonio, TX
Tecumseh, KS
Omaha, NE
Lincoln, NE
Elgin, TX
Omaha, NE
N Richlnd Hls, TX
Seattle, WA
Omaha, NE
Sun City West, AZ
Arvada, CO
Lawrence, KS
Omaha, NE
Log Cabin, TX
Colorado Spgs, CO

IN MEMORIAM

Jon M. Bargmann Watertown, SD
Margaret A. Cieslik Bellevue, NE
Charles G. Nelson Lincoln, NE
Mark J. Trogstad Fargo, ND

Recently Resolved Compliance Cases

The following complaints were reviewed for compliance by the Nebraska Board of Engineers and Architects, and resolved via the action noted. These summaries are provided for licensee education and information, and should not be interpreted as a full description of the complaints described.

In complaints where disciplinary action was taken by the Board per Neb. Rev. Stat. § 81-3444, the names of the individuals and/or organizations involved are included.

21.29 – Unlicensed Practice

Summary: The Board was notified of the submission of unsealed plans from another state agency for the construction of a single-story building [Educational (E) Occupancy] comprising approximately 1,440 square feet. The plans did not bear the seal of a Nebraska-licensed architect or professional engineer.

Action: This project was subject to the Act due to the building area comprising more than 1,000 square feet of Educational occupancy. The Board authorized the remediation process to bring the project into compliance with the Act. Per Board Rule 8.4, the remediation professionals reviewed the project, identified deficiencies, and recommended corrections. The complaint was dismissed upon the removal of all deficiencies.

21.35 – Unlicensed Practice

Summary: The Board was notified of the submission of unsealed plans from another state agency for the renovation of a two-story mixed-use commercial building [Assembly (A) Occupancy] comprising approximately 15,000 square feet. The plans did not bear the seal of a Nebraska-licensed architect or professional engineer.

Action: This project was subject to the Act due to the building area comprising more than 1,000 square feet of Assembly occupancy. The Board authorized the remediation process to bring the project into compliance with the Act. Per Board Rule 8.4, the remediation professionals reviewed the project, identified deficiencies, and recommended corrections. The complaint was dismissed upon the removal of all deficiencies.

21.41 – Incompetence

Summary: A complaint was submitted alleging Tobias Gay (E-9749) was practicing structural engineering without the competence to do so. Specifically, the complaint alleges the violation of Board Rules 5.1.1, 5.1.3, and 5.1.6.

Action: Following an investigation, the Board and Mr. Gay entered into a Settlement Agreement in which Mr. Gay agreed to the disciplinary action terms. The Settlement Agreement imposed a license restriction on Mr. Gay's engineering license, which prohibits him from providing structural engineering services on any project in Nebraska subject to the Act. The Settlement Agreement also ordered within 30 days Mr. Gay to pay costs, a \$2,5000 civil penalty, and required Gay & Associates to apply for and obtain a Certificate of Authorization. Within 60 days, Mr. Gay agreed to provide the Board a complete list of all clients he and Gay & Associates had provided structural engineering services for in the past ten (10) years, provide written notice to all project owners from the list of the stipulated findings in the Settlement Agreement, and send proof of delivery of such notice to the Board.

The Board accepted and executed the settlement agreement in December 2022.

22.07 – Unlicensed Practice

Summary: The Board was notified of the submission of unsealed plans to another state agency for the construction of a single-story building [Educational (E) Occupancy] comprising approximately 2,112 square feet. The plans do not bear the seal of a Nebraska-licensed architect or professional engineer.

Action: This project was subject to the Act due to the building area comprising more than 1,000 square feet of Educational occupancy. The Board authorized the remediation process to bring the project into compliance with the Act. Per Board Rule 8.4, the remediation professionals conducted reviews, identified deficiencies, and recommended corrections. The complaint was dismissed upon the engagement of licensees.

22.08 – Incompetence

Summary: A complaint was submitted alleging Christopher Hahn (E-12665) was practicing structural engineering without the competence to do so. Specifically, the

complaint alleged a violation of Board Rules 5.1.1, 5.1.3, and 5.1.6.

Action: Following an investigation, the Board determined Hahn was in violation of those rules. The Board proposed a settlement agreement, including to cease and desist the practice of structural engineering. Mr. Hahn signed the agreement. The Board executed the settlement agreement and closed the complaint.

22.10 – Unlicensed Practice

Summary: The Board was notified of the submission of unsealed plans to another state agency for the construction of a two-story building [Assembly (A) Occupancy] comprising approximately 3,520 square feet. The plans do not bear the seal of a Nebraska-licensed architect or professional engineer.

Action: This project was subject to the Act due to the building area comprising more than 1,000 square feet of Assembly occupancy. The Board authorized the remediation process to bring the project into compliance with the Act. Per Board Rule 8.4, the remediation professionals reviewed the project, identified deficiencies, and recommended corrections. The complaint was dismissed upon the removal of all deficiencies.

22.17 – Unlicensed Practice

Summary: The Board was notified of the submission of unsealed plans to another state agency for the construction of a single-story building [Assembly (A) Occupancy] comprising approximately 11,400 square feet. The plans do not bear the seal of a Nebraska-licensed architect or professional engineer.

Action: This project was subject to the Act due to the building area comprising more than 1,000 square feet of Assembly occupancy. The Board authorized the remediation process to bring the project into compliance with the Act. Per Board Rule 8.4, the remediation professionals reviewed the project, identified deficiencies, and recommended corrections. The complaint was dismissed upon the removal of all deficiencies.

22.20 – Unlicensed Practice

Summary: The Board was notified of the submission of unsealed plans to another state agency to renovate a single-story building [Assembly (A) Occupancy] comprising approximately 5,000 square feet. The plans do not bear the seal of a

Nebraska-licensed architect or professional engineer.

Action: This project was subject to the Act due to the building area comprising more than 1,000 square feet of assembly occupancy. The Board authorized the remediation process to bring the project into compliance with the Act. Per Board Rule 8.4, the remediation professionals reviewed the project, identified deficiencies, and recommended corrections. The complaint was dismissed upon the removal of all deficiencies.

22.23 – Unlicensed Practice

Summary: A complaint was submitted alleging that Respondent engaged in the unlicensed practice of architecture and engineering in commercial construction.

Action: Following an investigation, the Board voted to dismiss the complaint after sending a letter of caution addressing the Board's Rules and regulations regarding the unlicensed practice of engineering and architecture, coordinating professional, and the direct supervision of a project.

22.24 – Audit Failure

Summary: A complaint was initiated alleging Richard Bussard (E-7895) supplied false information during the license renewal process regarding the completion of continuing education requirements. Board Rule 9.1.1 requires every professional engineer to meet the continuing education requirements as a condition for license renewal.

Action: The Board found that Mr. Bussard failed to meet continuing education requirements during the 2021-2022 renewal period. The Board proposed a settlement agreement in which Mr. Bussard agreed to a \$500 civil penalty to be paid within sixty (60) days. The Board accepted and executed the settlement agreement in February 2023.

22.26 – Audit Failure

Summary: A complaint was initiated alleging Benjamin Yeung (E-12886) supplied false information during the license renewal process regarding the completion of continuing education requirements. Board Rule 9.1.1 requires every professional engineer to meet the continuing education requirements as a condition for license renewal.

Action: The Board found that Mr. Yeung failed to meet continuing education requirements during the 2021-2022 renewal period. The Board proposed a settlement agreement in which Mr. Yeung

agreed to comply with the audit requirements and a \$500 civil penalty to be paid within sixty (60) days. The Board accepted and executed the settlement agreement in February 2023.

22.27 – Unlicensed Practice

Summary: The Board was notified of the submission of unsealed plans to another state agency for the construction of a single-story building [Assembly (A) Occupancy] comprising approximately 5,400 square feet. The plans do not bear the seal of a Nebraska-licensed architect or professional engineer.

Action: This project was subject to the Act due to the building area comprising more than 1,000 square feet of Assembly occupancy. The Board authorized the remediation process to bring the project into compliance with the Act. Per Board Rule 8.4, the remediation professionals reviewed the project, identified deficiencies, and recommended corrections. The complaint was dismissed without prejudice based on the engagement of remediation licensees.

23.01 – Audit Failure

Summary: A complaint was initiated alleging Yumei Wang (E-11391) supplied false information during the license renewal process regarding the completion of continuing education requirements. Board Rule 9.1.1 requires every professional engineer to meet the continuing education requirements as a condition for license renewal.

Action: The Board found that Ms. Wang failed to meet continuing education requirements during the 2021-2022 renewal period. The Board proposed a settlement agreement in which Ms. Wang agreed to the disciplinary action and order of the successful completion of the continuing education audit, a \$500 civil penalty, and \$66.24 in costs to be paid within sixty (60) days. The Board accepted and executed the settlement agreement in March 2023.

23.04 – Unlicensed Practice

Summary: A complaint was filed alleging respondent was engaging in the unlicensed practice of engineering in commercial construction.

Action: Following an investigation, the Board voted to dismiss the complaint after sending a letter of caution addressing the unlicensed practice of architecture and engineering and the direct supervision of work requirements as described in Neb. Rev. Stat. §§ 81-3411.

23.05 – Unlicensed Practice

Summary: A complaint was filed alleging respondent was engaging in the unlicensed practice of architecture and engineering in commercial construction.

Action: Following an investigation, the Board found no formal administrative or disciplinary action was warranted but instead chose to issue a letter of caution to the Respondent to inform it not to prepare any technical documents—including those which might be used for pricing purposes or marked "not for construction"—in relation to projects subject to the Act.

23.06 – Unlicensed Practice

Summary: A complaint was filed alleging respondent was engaging in the unlicensed practice of architecture and engineering in commercial construction.

Action: After investigation, the Board determined the Respondent did not regularly employ licensed architects or professional engineers and may have been preparing technical documents on projects not exempt from the Act. The Board found no formal administrative or disciplinary action was warranted but instead chose to issue a letter of caution to the Respondent to inform it not to prepare any technical documents—including those which might be used for pricing purposes or marked "not for construction"—in relation to projects subject to the Act. Further instances of Act violations brought to the Board's attention originating from this respondent may result in penalties described in Neb. Rev. Stat. §§ 81-3442.

23.07 – Audit Failure

Summary: A complaint was initiated alleging Robert Torson (A-1906) supplied false information regarding the completion of continuing education requirements during the license renewal process. Board Rule 9.1.1 requires every architect to meet the continuing education requirements for license renewal.

Action: The Board found that Mr. Torson failed to meet continuing education requirements during the 2021-2022 renewal period. The Board proposed a settlement agreement in which Mr. Torson agreed to a \$500 civil penalty to be paid within sixty (60) days. The Board accepted and executed the settlement agreement in March 2023. ■



STATE OF NEBRASKA BOARD OF ENGINEERS AND ARCHITECTS

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- JUN** **9** **Board Meeting**
- 15-17** **NCARB Annual Meeting, Tampa, FL**
- 19** **Board Office Closed**
- JULY** **4** **Board Office Closed**
- AUG** **4** **Board Meeting**
- 15-18** **NCEES Annual Meeting, Boston, MA**
- 16** **Board's 84th Anniversary**
- 31** **NCEES PE Exam Registration Deadline**
- SEP** **4** **Board Office Closed**
- 15** **Board Meeting**
- OCT** **9** **Board Office Closed**
- 20** **Board Meeting**
- 23-24** **NCEES PE Exam (Pencil and Paper)**
- NOV** **3** **New Licensee Ceremony, State Capitol**
- 11** **Board Office Closed**
- 23-24** **Board Office Closed**
- DEC** **1** **Board Meeting**
- 25** **Board Office Closed**

CONTINUING EDUCATION CERTIFICATE NEBRASKA BOARD OF ENGINEERS AND ARCHITECTS

This is to certify that the person named below has earned 0.25 continuing education hours for Architects and Professional Engineers by thoroughly reading the Spring 2023 edition of the Nebraska Board of Engineers and Architects newsletter, *The Nebraska Professional*.

NAME

I attest, by the responses recorded below, my signature, and on my professional honor, that I have personally read and am familiar with the Spring 2023 edition of the *The Nebraska Professional*.

Which senator is currently the sponsor of LB471 in the Nebraska Legislature?	
What are the 2 types of records needed to complete a C.E. Audit?	
What topics would you like to see the NBEA cover in future webinars?	

Signature

License No.

Date

If you claim credit for reading the newsletter and are audited, you will be required to produce this completed certificate as documentation.