

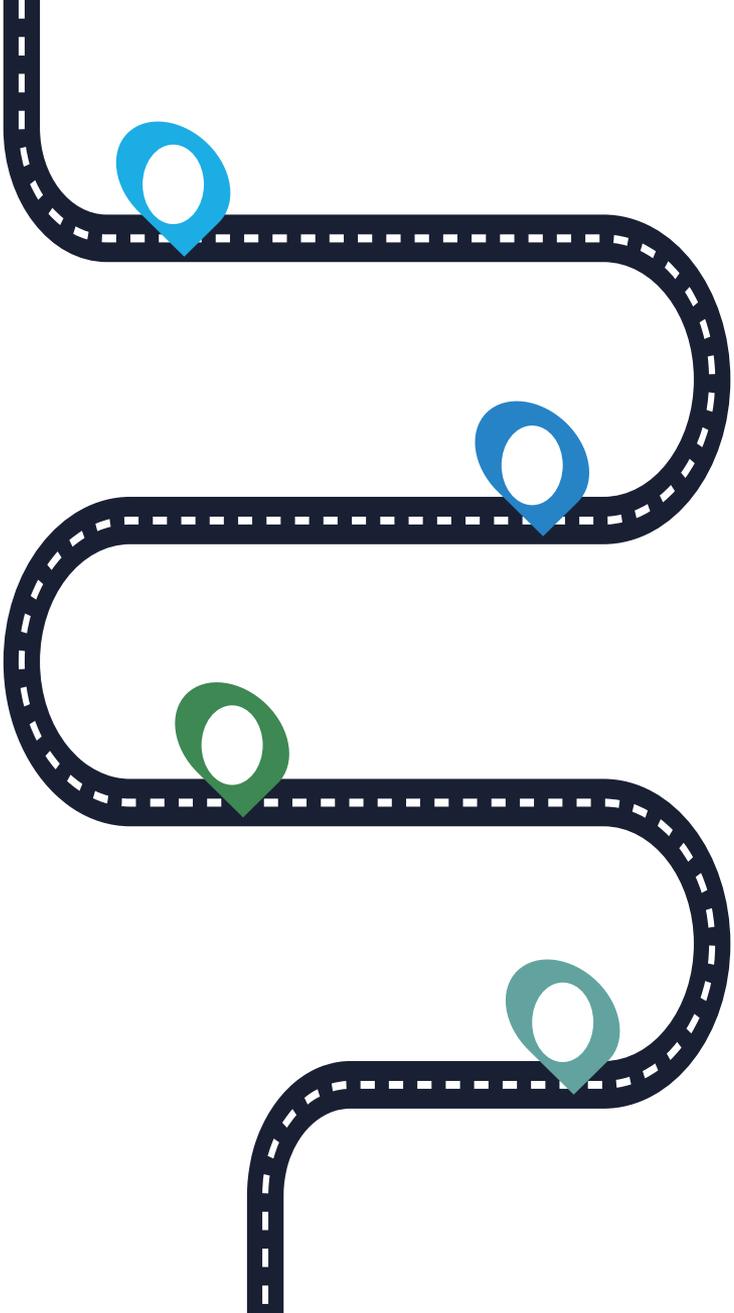


STATE OF NEBRASKA BOARD OF
ENGINEERS AND ARCHITECTS

Professional Practice and Ethics

MARCH 9, 2026

AMY HABE



Roadmap

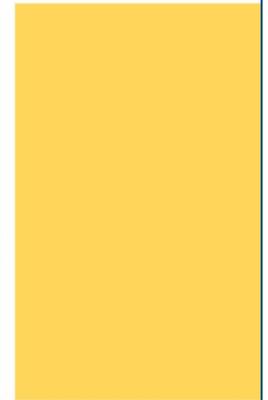
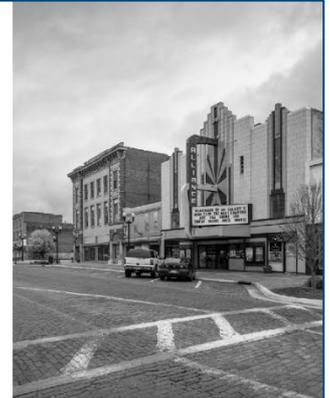
- **Enforcement**
- **Complaint Process and Investigations**
- **Case Studies and Sources**
- **Questions**

Enforcement

The Nebraska E&A Act Regulation Handbook

- Contains the Nebraska Engineers and Architects Regulation Act (the Act) and the rules and regulations of the Nebraska Board of Engineers and Architects.
- Governs the practice of engineering and architecture in the state of Nebraska in order to safeguard life, health, property, and promote the public welfare.

THE NEBRASKA ENGINEERS AND ARCHITECTS REGULATION ACT HANDBOOK 2025



The Nebraska Engineers and Architects Regulation Act

Disciplinary Actions

Board Policies

Coordinating Professional

Licensee Seals and Technical Submissions

Enforcement / Complaints

Guidance Documents

The Nebraska Engineers and Architects Regulation Act

The Nebraska Engineers and Architects Regulation Act governs the practice of engineering and architecture in Nebraska. The Act is designed to promote the public welfare through licensing and enforcement of state statutes. The E&A Board is responsible for enforcing the Act, which requires licensees to meet certain education, experience, and examination requirements.

life, health, property, and
are qualified through

This handbook incorporates all current statutes and rules & regulations effective **November 25, 2025**. For the most current changes to the Act, please see below.

Below is the link to the E&A Regulation Act in its entirety:

[The Nebraska Engineers and Architects Regulation Act Handbook](#)

Chapter 1: General provisions, definitions.

Chapter 2: Requirements for licensure of a professional engineer by examination, experience, and education and reimbursement of educational debt.

Chapter 3: Requirements for licensure of an architect by examination, experience, and education and reimbursement of educational debt.

Chapter 4: Comity and temporary permits for professional engineers and architects.

Chapter 5: Code of practice, competence, conflicts of interest, professional conduct, and use of regulated titles.

Chapter 6: The use of the licensee seal.

Chapter 7: Requirements for organizational practice and criteria for issuing a Certificate of Authorization.

Chapter 8: Enforcement procedures and remediation process.

Chapter 9: Continuing education requirements, exemptions, and audits.

Chapter 10: Statutory exemptions to the Engineers and Architects Regulation Act.

Board Rules Updated; Effective November 25, 2025

Governor Jim Pillen approved proposed changes to the Board's rules (Title 110, Neb. Admin. Code). The changes were the subject of a public hearing the Board held on March 21, 2025. No comments opposing these changes were received.

81-3442. Prohibited acts; penalties.

- It is **unlawful** to:
 1. Practice or offer to practice architecture or engineering without proper licensure (unless the project is exempt);
 2. Knowingly employ or retain an unlicensed, non-exempt individual to practice;
 3. Use the title “architect,” “engineer,” or derivatives in a business name without authorization;
 4. Advertise in a way that implies licensure when not licensed;
 5. Use another person’s license certificate or seal;
 6. Submit false or forged evidence to the Board;
 7. Impersonate another licensee;
 8. Use an expired, suspended, revoked, or nonexistent license;
 9. Falsely claim licensure or otherwise violate the Act; or
 10. Violate the act.
- **First offense:** Class I misdemeanor
- **Second or subsequent offense:** Class IV felony

Complaint Process and Investigations

Board Partner Agencies



How to File a Complaint

- Anyone can file a complaint with the Board for any potential violation of the Act and/or Board Rules.
- The Board has received complaints from:
 - Members of the public
 - Professionals in the building industry
 - Other state agencies
 - Professional societies
 - Firms

- The Nebraska Engineers and Architects Regulation Act
- Disciplinary Actions
- Board Policies
- Coordinating Professional
- Licensee Seals and Technical Submissions
- Enforcement / Complaints**
- Guidance Documents

Enforcement / Complaints

Filing a Complaint

Anyone can submit a complaint against architects, professional engineers, organizations, or other entities under the jurisdiction of [the Nebraska Engineers and Architects Regulation Act](#) (Title 110 of the Nebraska Administrative Code), please complete and submit a [Complaint Form](#). You will need to submit a written account of the alleged violation, who was involved, and the project address (if applicable). Any contracts, technical documents or other evidence supporting your complaint can also be submitted with the Complaint Form. Providing as much information as possible is helpful to the Board. Board staff will typically contact you within one week of receiving the complaint to verify the information and gather any additional information that may be required.

Board staff will review the allegations and the Board will decide if there is probable cause that a violation has occurred.

Complaints are summarized in the Board's electronic newsletter, [The Nebraska Professional](#). The identity of the Respondent is only published when the Board takes disciplinary action. In instances where the Board has taken disciplinary action, the resulting Order of Disciplinary Action or Settlement Agreement is considered public record and available upon written request. Investigative records of the Board may be withheld upon a public records request, per Nebraska statutes regarding [public records](#).

Remediation

Remediation is an informal process used by the Board to involve licensees on building projects in Nebraska subject to [the Nebraska Engineers and Architects Regulation Act](#). While remediation may cause delays and added expense, it ensures that the health, safety and welfare of the public is protected through the involvement of licensed professionals.

Respondents

The respondent is the person or firm alleged to have violated the Nebraska E&A Regulation Act and/or Board Rules. Respondents can be an architect, professional engineer, organization or member of the public.

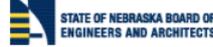
When the Board authorizes remediation, the Board will specify whether the project involves the practices of architecture, engineering, or both. The owner will receive a letter from the Board detailing whether an architect, a professional engineer(s), or both will need to be involved. Typically, the project will require an architect if the project involves the practice of architecture, and a professional engineer if the project involves the practice of engineering. The Board does not select, assign, or recommend licensed professionals to remediate a project. It is up to the owner to find the required licensed professionals. To find a licensed professional, use our [Licensee Lookup](#) feature.

While reviewing a project, one professional might observe components of the project that are outside their area of competency. This may necessitate other licensed design professionals becoming involved in the remediation process, including but not limited to an architect; professional engineer; professional engineer of a specific discipline; or a licensed or certified tradesman such an electrician, mason, HVAC technician, or plumber.

A complaint and the associated remediation process is not an order to stop construction. The licensed remediation professional(s) will review any existing plans and the structure itself to identify any deficiencies. If the remediation professional identifies immediate concerns of public safety, it is the licensed professional's responsibility to notify appropriate

How to File a Complaint

- Complete the Complaint Form.
- Detail the alleged violation, who was involved, and the project address (if applicable).
- Include as much information as possible, including contracts and technical documents if available.
- Information is not public.
- Complainant cannot take over the project they are making the complaint against.



Mail to: PO Box 95165
Phone: 402-471-2021 Lincoln, NE 68509
Fax: 402-471-0787

Delivery: 215 Centennial Mall S, Suite 400
Lincoln, NE 68508

Questions? Contact us at nbea.office@nebraska.gov or ea.nebraska.gov

COMPLAINT FORM

1. RESPONDENT (The person against whom the complaint is being made):

Name _____ License Number (if known) _____

Company _____

Address _____

Phone _____ Fax _____

Email _____ Other Information _____

2. COMPLAINANT (The person making the complaint):

Name _____

Address _____

Phone _____ Fax _____

Email _____ Best time to contact you _____

3. Project Address (if applicable):

Street _____

City _____ Parcel No. (if known) _____

4. Do you have design plans prepared by the Respondent? Yes No

5. Did you and the Respondent sign a written contract or letter of agreement? Yes No

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Investigations

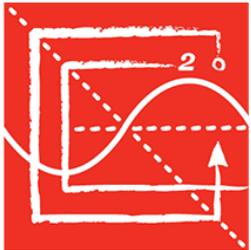
- Contact the Complainant.
- Contact the Respondent.
- Gathers more information about the complaint.
- Visit project sites, if necessary.
- Present investigative findings to the Board.
 - Close the complaint
 - Initiate a case

81-3444. Disciplinary actions authorized; civil penalties.

- Issue a censure or reprimand
- Suspend judgment
- Place the individual on probation
- Impose license limitations (scope, duration, or conditions of practice)
- Assess a civil penalty (up to \$10,000 per offense, based on severity)
- Revoke, suspend, or cancel licensure
- Issue a cease-and-desist order
- Assess costs and fees, including attorney, hearing officer, and investigative expenses
- Dismiss the action

Failure to Comply and Penalties

- Reporting to **NCEES** and **NCARB**
 - Disciplinary actions will be reported to these organizations.
 - All jurisdictions can access disciplinary information.
 - Model Law Engineers (MLE) designated by NCEES **will** lose MLE status.



NCEES



Cost of Non-Compliance

- Following the Act can help Nebraska citizens and licensees:
 - Comply with state law
 - Protect property
 - Protect persons on and using said property, and
 - Prevent damage or liability from improperly constructed buildings
- Failure to comply with the Act may result in liability for property owners and developers, including statutory fines and civil penalties.

Case Studies

Occupancy Classification	Maximum Building Area (square feet)
Assembly (A)	Less than 1,000
Business (B)	Less than 3,000
Educational (E)	Less than 1,000
Factory (F)	Less than 5,000
Hazardous (H-1, H-2, H-3, H-4)	Less than 2,000
Hazardous (H-5)	Less than 4,000
Institutional, Personal Care (I-1)	Less than 3,000
Institutional, Healthcare (I-2)	Less than 5,000
Institutional, Detention (I-3)	Less than 3,000
Institutional, Day Care	Less than 2,000
Mercantile (M)	Less than 3,000
Residential (R-1, R-2, R-4)	Less than 4,000
Residential (R-3 single family through four-plex)	Less than 10,000
Storage (S)	Less than 5,000
Utility (U)	Less than 5,000

Any structure which contains two or more occupancies is governed by the most restrictive occupancy for the purpose of utilizing Rule 10.3.

Remediation – Rule 8.4

- Informal process used by the Board to involve a licensed professional(s) on building projects in Nebraska, subject to the Act.
- If deficiencies are identified, the remediation professional/s must recommend design solutions to the project owner to remedy the issue(s).
- Project owner must correct the deficiencies identified by the remediation professional(s).
- Involved parties cannot have *ex parte* communication with individual Board members.



Remediation – Rule 8.4

- The **initial remediation letter** should reflect every step of the remediation process provided in Board Rule 8.4.1.1.1 to 8.4.1.1.9, to include:
 1. Identification of the project and an explanation of the remediation professionals' relationship to the project.
 2. Identification of any deficiencies, including any that raise immediate concerns of public safety. If there are immediate public safety concerns, the remediation professional should indicate whether there is a local authority to notify and whether they did notify the authority.
 3. Describe your recommendations to correct deficiencies and the kinds of technical documents that may need to be produced.
 4. A statement affirming that the remediation professional takes responsibility for the remediation design.
 5. If remediation requires the involvement of other design disciplines, identify those disciplines or licensed professionals and designate a coordinating professional. If there are multiple design professionals, each licensee may prepare their own remediation letter. The coordinating professional would then prepare a letter that lists each design professional involved and their roles in the remediation. Alternatively, each licensee would prepare their portion of the remediation letter and identify the portion that they are responsible for.
 6. Seal, sign, and date the letter.
- The **final remediation letter** must confirm that the project is in compliance with the E&A Act, all deficiencies have been removed, and taking responsibility for the project.

Case Study #1 – Informal Process Investigation on Unlicensed Practice

- Construction of a single-story **7,500 square foot** building classified as a **B-Business occupancy**.
 - Maximum square footage for **Business occupancy** is less than **3,000 square feet**.
- Plans did not bear the seal of a Nebraska-licensed architect or professional engineer.
- Board reviewed the project and determined it constituted the practice of architecture and engineering and was not exempt from the Act as the square footage area was greater than the 3,000 square foot maximum building area for the Business occupancy classification.
- Board authorized architecture and engineering remediation to bring the project into compliance with the Act.
- Project owner engaged a Nebraska-licensed architect and professional engineer to review the project and identify deficiencies.

Case Study #1 – Informal Process Investigation on Unlicensed Practice

- Remediation professionals reviewed the project and identified several deficiencies, including immediate concerns for public safety.
- Informed the project owner of the deficiencies and solutions to correct them.
- Once deficiencies were removed, the remediation professionals completed a final review of the project.
- Each design professional submitted a final letter to the Board confirming the project complies with the Act, all deficiencies had been removed, and took responsibility for the project.
- Complaint was dismissed with no disciplinary action based upon the successful completion of architecture and engineering remediation.

Case Study #2 – Formal Process Investigation on Unlicensed Practice

- Construction of a single-story **6,800 square foot** building classified as an **A-Assembly occupancy**.
 - Maximum square footage for **Assembly occupancy** is less than **1,000 square feet**.
- Plans did not bear the seal of a Nebraska-licensed architect or professional engineer.
- Board reviewed the project and determined it constituted the practice of architecture and engineering and was not exempt from the Act as the square footage area was greater than the 1,000 square foot maximum building area for the Assembly occupancy classification.
- Board authorized architecture and engineering remediation to bring the project into compliance with the Act.
- However, the Board was notified by the project owner that they had not been able to comply with the engineering remediation request at the time.

Case Study #2 – Formal Process Investigation on Unlicensed Practice

- Due to the project owner engaging in the unlicensed practice of engineering by failing to complete the engineering remediation, the Board held a hearing for disciplinary action in an attempt to resolve the matter.
- The project owner was directed to cease and desist all acts constituting the unlicensed practice of engineering and assessed a civil penalty of \$2,500 for the unlicensed practice of engineering, which was stayed for 120 days upon the successful remediation of the project within the allotted time frame.
- The engineering remediation professional submitted their final engineering report, stating that the engineering deficiencies identified had been corrected.
- The Board then voted to dismiss the complaint based on the settlement agreement terms being fulfilled and permanently stayed the penalty based on the successful completion of engineering remediation within the timeframe imposed in the agreement.

Case Study #3 – Informal Process Investigation on Continuing Education Audit Failure

- During the renewal application process, the licensee attested to having **“satisfied the mandatory continuing education (CE) requirements for Nebraska.”**
- Licensee was randomly selected for a CE audit.
- After reviewing CE documents submitted by the licensee, it was determined that they had not met the mandatory CE requirements.
 - All hours submitted were web-based offerings and restricted per Rule 9.3.1.
 - 7.5 allowable hours; 22.5 hours short of the required 30 CE hours for professional engineers.
- Licensee was given 60 days to substantiate their original claim or to earn other credit to meet the minimum requirements.
- As the licensee failed to respond to the audit failure notification, a settlement agreement was proposed to the licensee in an attempt to resolve the matter.

Case Study #3 – Informal Process Investigation on Continuing Education Audit Failure

- Settlement agreement terms:
 - Licensee to submit documentation showing CE audit compliance
 - License suspended from the time of the agreement signing up to the time the licensee provides the CE audit compliance documents, or 30 days, whichever is more
 - Civil penalty of \$500 and investigative costs of \$44.54
- Within a month of signing the settlement agreement, the licensee submitted CE documents that fulfilled the CE requirements and paid all costs.
- Licensee's license was placed on suspension for 30 days and changed back to active status once all terms were fulfilled.
- Complaint was dismissed based on the terms of the settlement agreement being fulfilled.

Professional Conduct – Continuing Education

- If selected for an audit, the licensee has **30 days** from the audit notification to submit supporting CE audit documents.
- If the licensee has failed to meet CE audit requirements, they will have **60 days** after notification to substantiate the original claim or to earn other credit to meet the minimum requirements.
- **Rule 5.5.7**
 - The licensee shall not deliberately make a materially false statement or fail deliberately to disclose accurately and completely a material fact requested by the Board in connection with the licensee's application for licensure or renewal or otherwise requested.
 - **CE examples of this include:**
 - **Reporting the mandatory CE requirements as having been satisfied when they have not.**
 - **Attesting the information is correct to the best of your knowledge when it is not.**

Continuing Education Information

Mandatory Continuing Education

30 actual hours of engineering-related learning every biennial renewal period to meet the continuing education requirements. Activities must be either 1) technical in nature or 2) address a topic that is part of an engineering profession's body of knowledge as developed by applicable national professional engineering societies (NSPE, ASCE, IEEE, etc.). One hour must also be directly related to ethical issues of professional practice.

Please mark only one of the following:

- I have satisfied the [mandatory continuing education requirements](#) of Nebraska, and I understand that false claims are subject to disciplinary action.
- I have NOT YET satisfied the mandatory continuing education requirements of Nebraska.
- I have served on active duty in the armed forces of the United States or any state for a period of time exceeding 120 days in one or both calendar years of my renewal period. Supporting documents for each year of active duty will be required.
- Other

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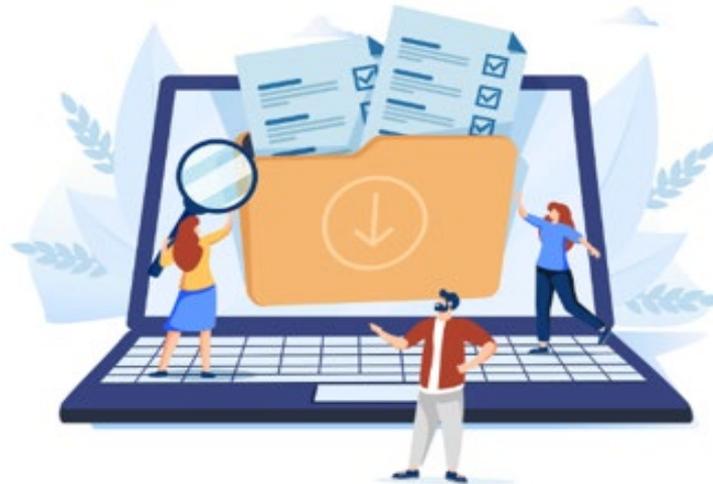
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Continuing Education (Rule 9.3.1)

- Web-based offerings provided by entities listed below may constitute **all** of the biennial education requirement:
 - International Association for Continuing Educational Training (IACET) approved providers,
 - institutions of higher education that have an accredited program in architecture or engineering,
 - professional engineering or architectural societies,
 - technical societies and associations recognized at a national level,
 - governmental agencies,
 - NCARB and NCEES, or
 - American Institute of Architects-approved providers

Continuing Education (Rule 9.3.2)

- Web-based offerings from a provider not listed in Rule 9.3.1 may constitute **no more than one-fourth** of the biennial education requirement, which is
 - Six hours for architects
 - Seven and one-half hours for professional engineers
- Web-based offerings led by an instructor that enable both the instructor and attendees to give, receive, and discuss information **in real-time** are **not** restricted.



Continuing Education Reminders

- The Board has final authority with respect to approval of courses and credits.
- The Board **DOES NOT PRE-APPROVE** CE courses or credits.
- A CE provider who says they are approved in Nebraska or “all 50 states” is a **red flag**.



Case Study #4 – Plan Stamping

- Construction of a single-story **6,800 square foot** building classified as an **A-Assembly occupancy**, designed by an unlicensed draftsman.
 - Maximum square footage for **Assembly occupancy** is less than **1,000 square feet**.
- Licensees were not directly involved throughout the preparation of the technical documents.
- Board reviewed the project and determined it constituted the practice of architecture and engineering and was not exempt from the Act based on size and occupancy.
- Minimum construction phase services were not being provided on this project, allowing for design professionals to be engaged.
- Board found no formal administrative or legal action was warranted and issued a **Letter of Caution**.
- The project designed is separate from this matter and had to be remediated on its own.

What “Construction Phase Services” Means

- Minimum construction phase services **include**:
 - Regular site visits as necessary to determine that work is proceeding generally in accordance with:
 - Approved technical submissions
 - Documents submitted to the building official at permit issuance
 - Processing technical submissions required of the contractor under the contract documents
- Minimum construction phase services **do not include**:
 - Supervision of construction
 - Review of payment applications
 - Resolution of owner–contractor disputes
 - Other additional construction administration services

81-3446 Construction Phase Services

- Projects subject to the Act require involvement of a licensed architect or professional engineer.
- Allowing construction to proceed without required professional involvement may constitute the unlawful practice of architecture or engineering.
- Property owners are no longer practicing architecture or engineering when:
 - A licensed architect or professional engineer (or persons under their direct supervision) provides minimum construction phase services, or
 - The project is exempt from the Act.

Observing vs. Inspecting

- **Observing**
 - Ethical and legal obligation of design professionals.
 - Confirms general conformance with approved plans.
 - Assists in estimating work completed.
- **Inspecting**
 - A higher level of evaluation.
 - Involves close examination of qualities and conditions.
 - Often associated with testing, verification, or regulatory inspection.



Direct Supervision of Work (Rule 6.4)

- To exercise responsible control, a supervising licensee must:
 - Have authority to review, modify, reject, or approve work in progress and final deliverables through continuous oversight.
 - Be personally familiar with the project's scope, requirements, limitations, and special conditions.
 - Be able to explain and defend professional decisions with sufficient knowledge and proficiency.
 - Be satisfied with the completed work and accept full responsibility.

Direct Supervision of Work (Rule 6.4)



- Good practices to ensure responsible control:
 - Establish clear processes for implementing design solutions and set expectations for on-site personnel collecting project data.
 - Maintain a clear chain of custody for project information (photos, measurements, etc.) and define thresholds requiring follow-up or further investigation.

Case Study #5 – Competence (Rule 5.1)

- The Board received a complaint alleging that a Nebraska-licensed Professional Civil Engineer was incompetent in practicing structural engineering for an addition to an existing building.
- The Board advised the licensee to complete additional coursework in structural engineering to increase their competency, if they intended to continue practicing structural engineering.
- Licensee provided documentation demonstrating successful completion of supplemental education.
- Board dismissed the complaint without disciplinary action based on the completion of supplemental education.

Competence (Board Rule 5.1)

- **Board Rule 5.1.1**
 - In practicing engineering or architecture, the licensee shall act with reasonable care and competence and shall apply the technical knowledge and skill ordinarily applied by licensees of good standing in the same locality.
- **Board Rule 5.1.3**
 - The licensee shall undertake to perform professional services only when they, together with those whom the licensee may engage as consultants, is qualified by education, training, and experience in the specific technical areas involved.
- **Board Rule 5.1.6**
 - The licensee shall not sign, seal, or attest to any work pertaining to any technical discipline or specialty that the licensee does not have professional training and experience.

Case Study #6 – Organizations Practicing Without COA

- Allegation of an organization practicing or offering to practice engineering without a Certificate of Authorization (COA).
- Language on the organization's website advertised that it was an engineering firm.
- Letter was sent to the organization notifying them of the violation.
- Organization responded by the deadline and removed all references to providing engineering services from its website.
- Organization submitted an *Application for a Certificate of Authorization* and paid all *in arrears* application and renewal fees.
- Board dismissed the complaint without disciplinary action.
- Organization was able to advertise as an engineering firm once its *Application for a Certificate of Authorization* was approved.

Organizational Practice (Chapter 7)

- Your organization will need a Certificate of Authorization if it:
 - Practices or offers to practice architecture and/or engineering in Nebraska; or
 - Enters into an agreement to provide architectural and/or engineering services on a project in Nebraska; or
 - Engages in design-build in Nebraska; or
 - Bills for architectural or engineering services pertaining to projects in Nebraska;

AND

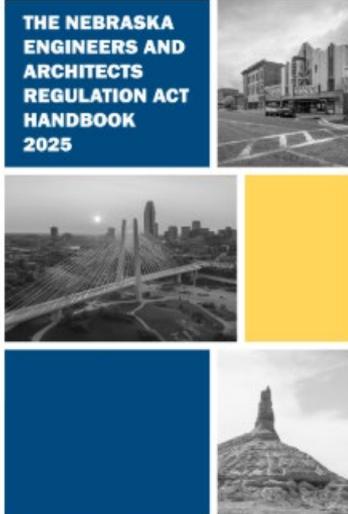
- Is a business entity created by law, including, but not limited to, a partnership, limited liability company, corporation, or joint venture.

- The Nebraska Professional NBEA Lunch and Learn Webinar Series
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Publications

[The Nebraska Engineers and Architects Regulation Act Handbook](#)

[The Nebraska Board of Engineers and Architects Social Media Accounts](#)



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Questions?

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 - nbea.compliance@nebraska.gov
 - (402) 471-9602
- Allyson Berglund, Public Information Officer
 - nbea.marketing@nebraska.gov
 - (402) 471-3060
- Reminders
 - It is **anticipated** the Board will give continuing education credit for the webinar, but as a reminder, the Board **DOES NOT** pre-approve continuing education offerings.
 - Certificates **WILL NOT** be issued as attendance verification. If you participate in the entire presentation, you will receive an email within the next week confirming your attendance.

