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The Nebraska Professional

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Nebraska Board of Engineers and Architects

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Board Honors Newly-Licensed Professionals

At the State Capitol this month, the Board recognized architects and professional engineers who received their initial Nebraska licenses over the past year. A big thank you to AIA Nebraska and the Nebraska Society of Professional Engineers for helping make the event memorable for our new licensees! Congratulations to all the newly licensed professionals—this is just the beginning of an exciting journey in your careers!



Notice of Rulemaking Hearing

Notice is hereby given that the Board of Engineers and Architects will hold a rulemaking hearing on the 24th day of January 2025, commencing at 8:30 a.m., to be held at the Lincoln Community Foundation Building, 215 Centennial Mall South, 5th Floor, large conference room.

The purpose of the hearing is to take testimony and evidence about adoption, amendments, and additions to Title 110, Chapters 1, 4, 5, 6, 7, 8, and 9. This action is proposed to implement *Neb. Rev. Stat. §§81-3401 to 81-3455*, consistent with the authority granted by the law and with constitutionality. The subject matter and scope of rulemaking action are as follows:

The Board of Engineers and Architects is implementing changes to its regulations primarily to update the Board's rules. The main topics to be considered through these proposals include, but are not limited to, the following:

- Proposing a definition of public works;
- Clarifying that professional engineer applicants who are designated as a Model Law Engineer by NCEES but hold only a degree accredited by the Engineering Technology Accrediting Board of ABET do not qualify for licensure unless they have been licensed for 15 years in another jurisdiction recognized by the Board;
- Adding a licensure pathway for professional engineers licensed in any foreign country that is an Authorized Member of either the International Professional Engineer's Agreement or the APEC Engineer Agreement, as developed and published by the International Engineering Alliance;
- Requiring licensees who have knowledge of a violation of the Engineers and Architects Regulation Act or Board Rules shall report such knowledge to the Board within 90 days and cooperate with the Board if requested;
- Clarifying the manner in which large specifications may be appropriately sealed;
- Limiting the number of continuing education (CE) hours the Board will grant in any 24-hour period to 10, along with revisions to CE recordkeeping rules; and
- Revising rules regarding emeritus-status licensees as it relates to reinstatement applications and continuing education requirements at the time of reapplication.

This hearing is being conducted under the provisions of *Neb. Rev. Stat. §§84-907* which provides that draft copies of the proposed rules are available for public examination at the Board of Engineers and Architects and at the Office of the Secretary of State, State Capitol, Lincoln, NE 68508. The **draft copy** (https://ea.nebraska.gov/sites/default/files/doc/241114_Proposed_Rule_Changes_LegislativeCopy.pdf) of the proposed rules and a **clean draft** (https://ea.nebraska.gov/sites/default/files/doc/241114_Proposed_Rule_Changes_CleanCopy.pdf) will also be made available on the Board of Engineers and Architects **website** (<https://ea.nebraska.gov>).

There is expected to be no fiscal impact from amending these regulations on political subdivisions and the Board of Engineers and Architects. There is expected to be no financial impact to the regulated public, license applicants, and licensees.

All interested persons are invited to attend and testify orally or by written submission at the hearing. Interested persons may also submit written comments prior to the hearing, which will be made part of the record at the time of hearing if received by the Board of Engineers and Architects by end of business day January 23, 2025. If auxiliary aids or reasonable accommodations are needed to participate at the hearing, please call (402) 471-2021 no later than ten days before the hearing. TDD users please call (800) 833-7352 and ask the relay operator to call us at (402) 471-2021.

Sealing Specifications Involving Several Licensees

The Board recently added Policy 24.03 regarding sealing specifications involving several licensees. The policy states:

"When sealing large specifications involving the work of multiple licensees where it may be cumbersome to coordinate sealing the first and last page of each specification section, the licensee may affix their seal on separate sheets placed at both the front and back of the specifications, listing each section that the licensee prepared in accordance with the E&A Act."

This new policy allows licensees to affix their seal and indicate the page number(s) they are responsible for on a separate sheet of paper. This sheet must then be placed on **both** the front and back of the specification book.

For a full list of Board policies, please click [here](https://ea.nebraska.gov/board-policies) (https://ea.nebraska.gov/board-policies).

NBEA Lunch and Learn Webinar Series



Thank you to everyone who attended the Lunch and Learn Webinar on November 20th covering license renewals, continuing education requirements, and continuing education audits. The webinar is now available on the Board's [YouTube channel](https://www.youtube.com/@NEBoardofEngineersArchitects) (https://www.youtube.com/@NEBoardofEngineersArchitects). Please click [here](https://youtu.be/QMvEIh18ylo?si=DxLuZ3O444DOCvNZ) (https://youtu.be/QMvEIh18ylo?si=DxLuZ3O444DOCvNZ) to view the presentation.

If you would like to access the PDF version of the webinar, please click [here](https://ea.nebraska.gov/sites/default/files/doc/241120_Presentation_Full_Slides.pdf)

(https://ea.nebraska.gov/sites/default/files/doc/241120_Presentation_Full_Slides.pdf).

Please follow us on all the Board's social media platforms for upcoming NBEA Lunch and Learn Webinar Series presentations, and never miss any important updates or information!

If you have any suggested topics for future webinars, please email nbea.marketing@nebraska.gov (mailto:nbea.marketing@nebraska.gov).

FAQ's from the Latest NBEA Webinar

Q: *How does an individual who elected emeritus status reinstate their license?*

A: Per **Board Rule 1.11.4.4**

(https://ea.nebraska.gov/sites/default/files/doc/NBEA_Handbook.pdf#page=23), to be reinstated to practice, an architect or professional engineer who has elected emeritus status must submit a new **Application for Licensure of an Architect**

(https://ea.nebraska.gov/sites/default/files/doc/architect_comity_licensure_application.pdf) or

Application for Licensure of a Professional Engineer

(https://ea.nebraska.gov/sites/default/files/doc/engineer_comity_licensure_application.pdf) to the

Board, submit a **License Reinstatement Affidavit**

(https://ea.nebraska.gov/sites/default/files/doc/reinstatement_affidavit.pdf) attesting they have not practiced architecture or engineering during the emeritus period, and meet the requirements of

Board Rule 9.6.1.4

(https://ea.nebraska.gov/sites/default/files/doc/NBEA_Handbook.pdf#page=51) of the Nebraska Engineers and Architects Regulation Act (the "E&A Act").

Q: *Can YouTube videos be used for continuing education credit?*

A: Possibly. They can potentially be used for continuing education credit but as a reminder, the Board cannot pre-approve courses. They would likely be restricted to a quarter of a licensee's total hours if it is not provided by one of the six categories of providers listed in **Board Rule 9.3.1** (https://ea.nebraska.gov/sites/default/files/doc/NBEA_Handbook.pdf#page=49).

Q: *If a newly licensed individual with a last name starting with A-K received their license in 2024, and their initial license period expires on December 31, 2025, do they need to have the mandatory continuing education hours completed by the end of their initial renewal period, or the 2025-2027 renewal period?*

A: Per **Board Rule 9.6.1.1**

(https://ea.nebraska.gov/sites/default/files/doc/NBEA_Handbook.pdf#page=51), architects and professional engineers licensed by examination or comity are exempt from continuing education requirements for their initial renewal period. This licensee must satisfy the mandatory continuing education requirements in every subsequent renewal period.

Q: *Can a newly licensed individual accrue carry-over hours?*

A: Yes. Per **Board Rule 9.6.1.1**

(https://ea.nebraska.gov/sites/default/files/doc/NBEA_Handbook.pdf#page=51), architects who complete more than 24 acceptable hours and professional engineers who complete more than 30 acceptable hours in their initial renewal period are eligible to carry over excess continuing education credits, subject to the limitations described in Chapter 9 of the E&A Act.

Q: *Are licensees able to carry over CE credits from more than one period prior?*

A: No. Per **Board Rule 9.4.3**

(https://ea.nebraska.gov/sites/default/files/doc/NBEA_Handbook.pdf#page=50), excess credits can be carried over only into the biennial period immediately following the period in which the credit was earned.

Now Hiring: Administrative Programs Officer

There is an immediate opening for the Board's Administrative Programs Officer position.

The Administrative Programs Officer reviews license and exam applications, makes recommendations to the Board, issues approved licenses, and works closely with other staff members on related projects. The position serves as a backup for certain financial and human resource process responsibilities.

The individual also serves as the primary staff liaison for the administrated agencies of the Board of Geologists and State Board of Landscape Architects. Under limited supervision, the individual is responsible for the day-to-day administrative operations of these boards; reviewing applications and issuing approved licenses, scheduling meetings, preparing meeting materials and minutes, running reports, communicating with other state agencies, formulating recommendations to the boards for consideration, and coordinating the boards' objectives and projects as directed.

To learn more about the position and apply, please click [here](#)

(https://son.wd1.myworkdayjobs.com/en-US/NebraskaStateCareers/jobs/details/Administrative-Programs-Officer_JR2024-00011362?q=administrative+programs+Officer+i).

2024 License Renewal Reminder

As a reminder, online renewals are now open for architects and professional engineers whose last names begin with the letters L through Z. Renewal forms must be received and processed online no later than 11:59 CT on December 31 to avoid a late payment fee. To renew online, visit https://www.nebraska.gov/EA/ea_renew.php (https://www.nebraska.gov/EA/ea_renew.php).

A penalty of \$8 per month (\$80 maximum) is assessed for the renewal of licenses after December 31, 2024. Please note you cannot practice with an expired license, as provided in Neb. Rev. Stat. §§81-3442.

If the online renewal system will not accept your password or you wish to renew by check, please contact the Board office at (402) 471-2021 or nbea.office@nebraska.gov (<mailto:nbea.office@nebraska.gov>) for assistance.

You must have satisfied the continuing education requirements before you may renew your license.

If your license expired December 31, 2023 and you wish to renew, you can no longer renew online. Please contact the **Board office** (mailto:nbea.office@nebraska.gov) to request a paper renewal application.

Renovations to an Existing Building, Structure, or Work

Per **Board Rule 10.4**

(https://ea.nebraska.gov/sites/default/files/doc/NBEA_Handbook.pdf#page=54), renovations and one-level additions to an existing building, structure, or work are exempt from the E&A Act if:

- The total adversely impacted area is less than the area set by Section 10.3 (illustrated below);
and
- The area of renovation or addition does not adversely impact the mechanical system, electrical system, structural integrity, means of egress, and does not change or come into conflict with the occupancy classification of the existing or adjacent tenant space, building, structure or work.

If the renovation or addition adversely impacts other areas, the additional areas that are adversely impacted shall be included in the occupancy and building area calculations set by **Board Rule 10.3** (https://ea.nebraska.gov/sites/default/files/doc/NBEA_Handbook.pdf#page=53).

Notwithstanding other provisions of the E&A Act, persons who are not licensed architects or professional engineers may perform planning and design services in connection with any building, structure, or work as indicated below:

OCCUPANCY CLASSIFICATION	MAXIMUM BUILDING AREA
10.3.1 A - Assembly	Less than 1,000 square feet
10.3.2 B - Business	Less than 3,000 square feet
10.3.3 E - Educational	Less than 1,000 square feet
10.3.4 F - Factory	Less than 5,000 square feet
10.3.5 H - Hazardous	
H-1, H-2, H-3, H-4	Less than 2,000 square feet
H-5.....	Less than 4,000 square feet
10.3.6 I - Institutional	
I-1 Personal care	Less than 3,000 square feet
I-2 Healthcare	Less than 5,000 square feet
I-3 Detention	Less than 3,000 square feet
I-4 Day care	Less than 2,000 square feet
10.3.7 M - Mercantile	Less than 3,000 square feet
10.3.8 R - Residential	
R-1, R-2, R-4	Less than 4,000 square feet
R-3 single family through four-plex	Less than 10,000 square feet
10.3.9 S - Storage	Less than 5,000 square feet
10.3.10 U - Utility	Less than 5,000 square feet
10.3.11 Any structure which contains two or more occupancies is governed by the most restrictive occupancy for the purpose of utilizing Rule 10.3.	

Licensure Updates

NEWLY-LICENSED ARCHITECTS

Daniel J. Conaway	Omaha, NE
Benjamin A. Friesen	Omaha, NE
Brian J. McCracken	Lincoln, NE
Emily M. Tetschner	Bennington, NE
Brian J. Phillips	Johnston, IA

NEWLY-LICENSED PROFESSIONAL ENGINEERS

Civil

Christopher W. Bianchini	Omaha, NE
Joshua D. Jackson	Omaha, NE
Jackie N.H. Nguyen	Lincoln, NE

Electrical and Computer

Joshua C. Hartley	Grand Island, NE
James M. Henderson	Lincoln, NE

Mechanical

Adam M. Metzger	Bellevue, NE
Jayson J. Rezek	Phillips, NE

Recently Resolved Compliance Cases

23.15 – Unlicensed Individual Practice

Summary: The Board was notified of the submission of unsealed plans to another state agency for the conversion of a single-story building [Mercantile (M) to Assembly (A) Occupancy] comprising approximately 7,800 square feet known as “Allgood Chiropractic/Fit 44 Gym” in Auburn, NE and owned by **Travis Allgood**. The plans did not bear the seal of a Nebraska-licensed architect or professional engineer.

Action: The project was subject to the Act due to the building area comprising more than 1,000 square feet of A-Assembly occupancy. The Board authorized architecture and engineering remediation to bring the project into compliance with the Act, with a response within 30 days and a written plan within 60 days. Per Board Rule 8.4, Allgood engaged the remediation professionals who reviewed the project, identified deficiencies, and recommended corrections. However, Allgood failed to submit a response within 30 days and a written plan within 60 days. Additionally, Allgood failed to complete the project in accordance with the remediation professionals’ recommendations in a timely manner. The Board held a hearing for disciplinary action and assessed a civil penalty of \$2,500, stayed for 120 days, and imposed investigative and hearing costs of \$2,040.02; Allgood

corrected the deficiencies identified by the remediation professionals. During the October Board meeting, the Board voted to dismiss the complaint based on the settlement agreement terms being fulfilled and permanently stay the penalty based on the successful completion of remediation within the timeframe imposed in the agreement.

24.02 – Unlicensed Practice

Summary: The Board was notified of the submission of unsealed plans from another state agency for the addition of a single-story 1,940 square foot building [Daycare (I-4) Occupancy] to an existing building. 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 adversely impacting more than 2,000 square feet of Daycare (I-4) Occupancy. The Board authorized architecture and engineering remediation to bring the project into compliance with the Act. Per Board Rule 8.4, the project owner engaged a Nebraska-licensed architect and professional engineer who reviewed the project, identified deficiencies, and recommended corrections. Following an investigation, the Board dismissed the complaint without disciplinary action based on the successful completion of architecture and engineering remediation.

24.08 – Noncompliance with Laws

Summary: The Board was notified through a license renewal disclosure that Missouri placed **Robert Nangia's** license on probation. Respondent was found to be in violation of Board Rules 5.4.1 and 5.5.4 and subject to disciplinary action per Board Rule 5.4.3.

Action: The Board held a hearing for Disciplinary Action and found Nangia violated Board Rules 5.4.1 and 5.4.3. The Board ordered Nangia's Nebraska professional engineer license (E-12795) be placed on probation for the time period concurrent with the Missouri order, and pay \$1,155 in fees and \$81.63 in investigative costs to be paid within thirty (30) days.

24.23 – Unlicensed Individual 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 2,548 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 A-Assembly Occupancy. The Board authorized architecture and engineering remediation to bring the project into compliance with the Act. Per Board Rule 8.4, the project owner engaged a Nebraska-licensed architect and professional engineer to review the project for compliance with the Act. The Board dismissed the complaint without prejudice based on the engagement of licensees.

24.29 – Unlicensed Practice of Architecture

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

Action: After reviewing the complaint, the Board found the plans prepared by the Respondent constituted the practice of architecture and engineering. The Board found no formal administrative or disciplinary action was warranted and issued a Letter of Caution to the Respondent, encouraging them to use greater care to avoid any repetition of such activities.

For further information regarding the enforcement process, please click [here](https://ea.nebraska.gov/enforcementcomplaints) (https://ea.nebraska.gov/enforcementcomplaints).

For a full list of disciplinary actions taken by the Board, please click [here](https://ea.nebraska.gov/disciplinary-actions) (https://ea.nebraska.gov/disciplinary-actions).

The Nebraska Professional Archive

[The Nebraska Professional #46](https://ea.nebraska.gov/sites/default/files/doc/October_Blog.pdf) (https://ea.nebraska.gov/sites/default/files/doc/October_Blog.pdf)

[The Nebraska Professional #45](https://ea.nebraska.gov/sites/default/files/doc/September_Blog.pdf) (https://ea.nebraska.gov/sites/default/files/doc/September_Blog.pdf)

Please click [here](https://ea.nebraska.gov/nebraska-professional-archive) (https://ea.nebraska.gov/nebraska-professional-archive) for past issues.

If you have questions about topics in this blog post, previous issues, or other topics that would be helpful to publish in our next release, please [contact us](mailto:nbea.marketing@nebraska.gov) (mailto:nbea.marketing@nebraska.gov).