

LOUISIANA BOARD OF PROFESSIONAL GEOSCIENTISTS
9643 Brookline Ave., Baton Rouge, LA 70809



COMPLIANCE COMMITTEE MEETING

Thursday, May 21, 2020, 10:00 a.m.

Skype Meeting

MINUTES

Call to Order and Roll Call

Committee Chair Todd Perry called the meeting to order at 10:12 am and commenced roll call. Present were Todd Perry, William Schramm, and Lloyd Hoover, Board members and Compliance Committee members. Also present was Brenda Macon, LBOPG Executive Secretary.

Seal Use Guidance Document

Perry then turned the committee's attention to the proposed text description of the seal practice rules. Perry provided the seal use policy developed by his company, PPM, as an example of a guide for the board to use to give specific information to licensees. He reminded the committee that, during the discussion of the guide at the full board meeting on May 12, Schramm had pointed out the need for the document to be free of references to any particular company or company policy and for the document to contain graphic but generic examples of how the seal is to be used in professional reports. He also reminded the committee that another board member had recommended considering geotechnical and geoengineering information to the document. Perry commented that he did not feel comfortable providing that information himself but felt other committee members would have the experience with these types of reports that would enable them to provide examples. He asked Hoover to review the current guidance and to provide the geotechnical and geological engineering information for the document.

Perry then directed the committee toward discussion of the use of digital seals. He asked Macon if she had investigated LAPELS' use of digital seals. Hoover pointed out that LAPELS allows digital seals, and Macon confirmed that approved use. Macon explained that any use of the professional seal requires the use of a software app, such as Adobe Acrobat Pro or DocuSign, that will certify the seal and disallow any changes to the seal once it is created. Both Hoover and Macon told the committee that the seal must follow the same design as the physical seal, with the licensee's name and license number in the designated spaces, and that the seal *must* be signed and dated to be official. Perry then proposed presenting this information to the full board, along with the seal use guidance, at the July meeting for final approval.

Schramm expressed concern regarding the use of the word "data" in the document. He recommended changing the word to "determinations" or "opinions" instead. Perry agreed and thanked Schramm for pointing out this deficiency. He told the committee to pass these types of suggestions to him, and he will edit the document

accordingly. Additional discussion ensued, with Hoover providing relevant history from the perspective of the engineering board in advising the committee to use caution with the document language. After taking into account the information from Hoover, Perry decided that the statement should include “opinion *and* data” and asked Hoover to review the document with his own experiences in mind. He also tasked Macon, with the assistance of Machelle Hall, with creating the section on digital seals. Schramm added that the guidance should include an example of the signature page that lists all the specific items within the report that are sealed.

Ongoing Audit Review Process

Perry then called upon Schramm to report on the ongoing audit review. Schramm reported that very few of those responding to the audit have undertaken adequate continuing education activities. Of those who have, few have provided adequate documentation. He also mentioned that continuing education courses should be documented and reviewed by calendar year, rather than, as some have suggested, from the date of renewal. He explained that maintaining documentation by calendar year and reviewing those documents by calendar is much easier than being required to review documentation from the renewal dates for nearly 1,500 licensees. Hoover cautioned about attempting to explain to auditees why certain courses are not accepted. Both Schramm and Perry pointed out that, at this point, they feel it is more important to help licensees understand why certain courses will not count toward the requirement than it is to protect the board from repercussions of potential mistakes by the committee. Perry explained that consistency is very important in making sure that the process is fair to all and that explaining why some courses do not count will help licensees make better choices. Hoover countered that some boards do allow courses that are not directly related to the profession itself, citing LAPELS’ courses in business management that count toward the licensee’s continuing education requirement. Perry responded that some boards are more far-reaching than this board; this board is just now trying to make sure all its licensees are up to date on geoscience; and, at this point in the board’s evolution, the board is more concerned about keeping its continuing education requirements restricted to geoscience. Perry pointed out that different boards have different missions.

Schramm asked if the letters had already been sent; Macon responded that the letters were put on hold for this meeting and this discussion. Discussion continued, with specific examples from the current audits. Perry pointed out that any decision is open for appeal, and Schramm explained that some of those audited had already contacted him to discuss specific courses. Schramm said he is open-minded about discussing the content of particular courses if licensees have additional information to present. Hoover asked if courses that have been accepted are listed somewhere; Macon responded that the list is on the website and that the list had been sent to the entire licensee base but reported that licensees who call about the continuing education requirements have never looked at the page. She expressed the need to direct licensees to that page before they submit their audit materials. Schramm suggested he could go back and add certain items from the current audits that have been accepted. Schramm asked Hoover and Perry whether the letters should be sent as is or if they should be changed to reflect Hoover’s suggestions. Perry and Hoover both agreed the letters should go out as they are.

New Business

Schramm then announced he has two opportunities to present ethics courses in the coming month. Schramm had the idea to have a videographer record one or both of those courses for inclusion on the LBOPG website, so he contacted Bill Finley, board chair, to get permission. Finley agreed, so Schramm is going forward with this plan. Discussion ensued, with Perry expressing his excitement. Macon reported she has contacted the website maintenance company, Dovetail Digital Marketing, about how to stream the course through the website. Discussion – including ways to document who has viewed the video, how to keep the material fresh, and whether the board should be providing such a course – ensued. Perry pointed out that the ethics course requirement is the hardest part for licensees to accomplish, so providing this course can help licensees

immeasurably. Schramm added that Finley has been advocating for outreach and educational seminars as well. Perry said the board should be active in supporting the licensees and the profession.

Macon reported that licensees have expressed interest in seminars by either DEQ or DNR or both that provide information and guidance on regulation. She reminded the committee that such seminars were discussed at the previous meeting in October 2019 and asked if such an effort, perhaps with the board playing a support role is still be considered. Perry explained that, while they would need to wait and see how the next few months into the pandemic go, he would like to continue in the direction of providing some type of seminar on regulation. Schramm agreed; Hoover cautioned that the board should play a limited role.

Schramm suggested the committee needs to begin a discussion with legal counsel about enforcement. He reminded the committee that Machelle Hall had indicated the board may not need additional legislation to enforce its rules. Discussion ensued. Hoover brought up the question of whether companies should be registered. Perry called for this point to be an action item for the committee's next meeting.

Perry then asked Hoover and Schramm if they would be willing to meeting again just prior to the next full board meeting, from 11:30 am to 12:30 pm, on July 14, 2020. They agreed, so the next meeting will be held at that time in the conference room at 9643 Brookline Avenue. He also asked that Machelle Hall be included in this meeting. Perry adjourned the meeting at 11:34 am.