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calendar

- February 10, 2010, 9 am - Next Scheduled Board meeting

moving? new job?

Visit the following link to update your personal info:

[update license](#)

board members

Jeanne M. Jackson, AIA, NCARB, LEED AP, Board Chair

Mary W. Bearson

Hans Hoffman, AIA, NCARB, LEED AP

Jim Nielson, AIA, LEED AP

Bryan J. Turner, AIA

board staff

Dennis Meservy, Bureau Manager

Yvonne King, Board Secretary

incidental practice rule change!

Greetings and Happy Twenty Ten to all!

The big news for this edition of the Utah Division of Occupational and Professional Licensing is our latest rule change. You may remember from the last newsletter that the Board has been working for some time in close collaboration with the Engineer’s Board, on developing a more precise definition of incidental practice. We are delighted to report that the rule changes have been approved by both boards, have undergone the public hearing process, and were both made official in Dec 2009.

But what does it really mean for you? Basically, the new rule describes what constitutes incidental practice in a much more definitive and quantifiable way . . .architects are limited in the amount of engineering work they can perform, and engineers are limited in the amount of architectural work they can perform based on scope, number of building occupants, building type, and percentage of overall construction value of the work to be done.

Please review the new rule, 156 – 3a -102, item (6), for the full and specific requirements regarding incidental practice. You will find a handy link to this rule on the left side of the architecture page of the Utah Division of Occupational and Professional Licensing website. . .

<http://www.dopl.utah.gov/licensing/architecture.html>

And remember, reporting any violations of this rule helps not only the profession of architecture, but more importantly, it helps protect the public health, safety, and welfare!

iphone apps you really need. . . really

Have you been wondering when the Utah Division of Occupational and Professional Licensing was going to get with the iPhone generation? Well, me too. Luckily for us it’s now here, and it’s free. The “Utah Professional License Lookup” app allows one to search for current licensee information. Brought to you as one of the many services under the Utah.gov umbrella, now looking up your (or anyone else’s) architect’s license has never been easier. The app provides the license number, license status, original issue date, expiration date, and any disciplinary action. You can even send all this information via email with the touch of a button. Can life get any better? While you’re at the App Store, Utah.gov has its own app which provides access to thousands of state provided services.

Other apps available include SHP Leading Design’s second iPhone Application, EcoFlash® BD+C: Flashcards for LEED® AP Building Design and Construction Exam. The flashcards are the second in a series of application geared at helping people prepare for LEED exams. Learn more by visiting www.ecoflashapps.com.

Do you know someone studying for the Architectural Registration Exam? Kaplan’s “Architect Registration Exam Flashcards and Reference” provides over 1,000



flashcards in each of the ARE divisions. Note, this app is not free but does receive high review rankings.

Last, but certainly not least, how often have you been reading your spec book written in MasterFormat 95 and wondered what the corresponding spec section would be in MasterFormat 2004? Well, your wait is over. CSI (Construction Specifications Institute) has a series of app's including "CSI MasterFormat 2004 Converter", "CSI MasterFormat 2004", and "CSI GreenFormat". Who would have thought that you can now do your specs right from your phone?

Regardless of what type of device you roll with, the point is - the world is at your fingertips. This is just a small sampling of the tools available to architects today. How we access information is constantly changing, so just remember there's an app for that. Really.

utah education & enforcement fund

The Architects Licensing Board has oversight of the Architect Education and Enforcement Fund. This fund is used for education and training for registration and continuing education credit for Utah architects.

In the October meeting, all members of the Board approved a motion once again to fund the initial IDP registration for the University of Utah College of Architecture + Planning students. The Board has funded this registration for the students since 2005.

licensing board activities

Rule Changes

Architect Licensing Act Rule changes which became official on December 8, 2009, following the public hearing on November 18, 2009, and the public comment period are described below – please refer to the indicated rule number for the full text of each item, which can be easily accessed on the Utah Division of Occupational and Professional Licensing website. . . <http://www.dopl.utah.gov/licensing/architecture.html>

Rule 156–3a–304

Clarification of the definition of Incidental Practice in the Rule – also see the first article in this newsletter for more!

Rule 156–3a–304

This is a change to the date for submission of continuing education credits in order to make this submission coincide with the present licensure renewal cycle.

Rule 156–3a–502 (5)

This change defines failure to “verify actual work experience” for one “who is or has been an employee” as unprofessional conduct. This change addresses the actions of some employers or former employers who have been reported as standing in the way of employees receiving IDP credits for legitimate work experience.

IDP 2.0 – what’s new and exciting?!

IDP 2.0

The National Council of Architectural Registration Boards (NCARB) is updating the Intern Development Program (IDP) requirements to more closely align with the current practice of architecture.



IDP 2.0, the most significant change to the program since its inception, was developed in response to the 2007 Practice Analysis of Architecture. The changes have many benefits to interns and will be rolled out in three phases over the next two years.

Emerging Professional's Companion and Professional Certifications

The first phase, which was implemented on 1 July 2009, allows interns, employed or not, to earn training units by completing:

- NCARB's *Professional Conduct* monograph and quiz (Free to interns!)
- LEED Accreditation
- Select Construction Specifications Institute certificate programs
- AIA Learning Units

Also, activities in the Emerging Professional's Companion can now count for as many as five minimum (core) training units in training areas 1-16. Exercises may be completed for supplementary education credit. Interns must be employed in a recognized IDP work setting to receive credit.

New Definitions

In the second phase, scheduled for 1 January 2010, the definition of "direct supervision" will change and "training units" will become "training hours."

Direct Supervision of interns shall occur either through personal contact or through a mix of personal contact and remote communication (e.g., e-mail, online markups, webinars, internet), such that the IDP supervisor has control over the work of the intern and has sufficient professional knowledge of the supervised work in order to determine that the intern understands and is performing his or her work experience within the professional standard of care.

Contract Employment will be allowed as long as an IDP supervisor verifies the training activities of the intern and fosters a professional relationship that is grounded in a direct professional association between the intern and the supervisor. Independent contractors may now act as IDP supervisors.

Training Hours: One hour of acceptable experience will equal one training hour. To earn training hours, an intern must work under the direct supervision of an IDP supervisor.

Training Areas to Experience Areas

In the third phase, scheduled for 1 January 2011, the current training areas will change to experience areas as identified in the 2007 Practice Analysis of Architecture, and work settings will be simplified. Transition to the experience areas will happen within e-EVR and no experience will be lost.

Utah Connection

Utah licensing board member Jim Nielson has served on NCARB's IDP program development task force for the past two years and has enjoyed a ring-side seat for the IDP 2.0 program development. He reports that the new framework will be more relevant and easier to understand. These changes, along with others still under consideration, represent a substantive improvement to this important program that affects both licensed architects and emerging professionals.

ARE security breach

The National Council of Architectural Registration Boards (NCARB) recently increased the fees for the Architect Registration Examination (ARE) by \$40 per division, a change which was effective October 1, 2009. The increase was due to recent incidents of exam content disclosure – read that cheating - by ARE candidates.



If your interns complain or are asking why, you could explain that the cost to develop and replace the exposed content, as well as dealing with the administrative and legal costs related to these incidents totals an estimated \$1.1 million.

As you probably recall, the ARE was a pretty tough hurdle to jump – thankfully, since it's designed to protect the health, safety, and welfare of the public by providing a psychometrically, (isn't that a fun word?!), justifiable and legally defensible process that measures the level of competence necessary to practice architecture independently. In recent months, NCARB "turned off" substantial amounts of content after several candidates posted detailed exam content on the internet. These candidates have had their exam scores canceled and testing privileges suspended for up to five years.

Replacing exam content is expensive and time consuming because each vignette or multiple-choice item must be written, reviewed, edited, and thoroughly pre-tested before it is added to the exam. The process of developing replacement content will take two years and the involvement of many volunteer professionals. The current six-month waiting period between failed divisions is in effect to ensure that a candidate does not see the same question twice.

disciplinary actions / complaints

disciplinary actions

September 2009:

Russell Eckstein was issued a citation for unauthorized practice.

A complete listing of all disciplinary actions and complaints can be found on the DOPL web site at <http://dopl.utah.gov/investigations/disciplinary.html>. From this page it is possible to review all citations and actions that have been taken against any licensed individual or company.

complaints

Every day the Utah Division of Occupational and Professional Licensing (DOPL) receives complaints regarding the conduct of individuals practicing in regulated occupations and professions. Complaints are received from many sources including the general public, co-workers, licensing board members, professional associations, other state agencies, and federal disciplinary databases.

DOPL is legislatively responsible to investigate acts or practices inconsistent with generally recognized standards of conduct, unlicensed practice in regulated professions or occupations, allegations of gross negligence or incompetence, and patterns of negligence or incompetence. Until disciplinary action is taken, complaints are confidential in nature and are not generally available to the public. However, in certain situations, the information contained in a complaint may be shared with other governmental agencies, if the other agency demonstrates a legal basis for the sharing of such information. Upon submission, all complaints are entered into an investigative database in order to analyze patterns of behavior. Each complaint is then reviewed by DOPL's chief investigator or an investigative supervisor who makes one of three initial determinations:

No Violation

If it is determined that the complaint does not involve a violation, the complaint is closed and no action is taken. Additionally, no public reporting of the information will occur.



Violation which Does Not Meet Criteria for Investigation

When a complaint involves a violation, but does not meet DOPL's criteria for opening an internal investigation, the DOPL may choose to take any or all of the following actions:

- refer the complaint to another local, state, or federal agency
- invite the involved individual(s) to participate in an informal, educational interview
- Issue a letter of concern to the involved individual(s)

Violation which Does Meet Criteria for Investigation

Finally, if a complaint is determined to involve a violation and is within DOPL's jurisdiction, the complaint will be prioritized and assigned to an investigator. Investigators use their experienced judgment and established procedures to determine the type of investigation to conduct. An investigation may include any of the following elements:

- interviewing complainant(s)
- interviewing witness(es)
- interviewing involved individual(s)
- obtaining appropriate records or documentation (subpoena)
- gathering other evidence
- obtaining input from applicable experts
- drafting petitions which include a statement of the allegations
-

At any time, the case may be reviewed by any or all of the following: the Utah Attorney Generals Office, an expert in the respective occupation or profession, DOPL's enforcement counsel, or DOPL's bureau manager responsible for the regulation of the respective occupation or profession. DOPL may also determine that a criminal complaint is warranted and will then notify the appropriate authorities of the situation.

A complaint can be submitted to DOPL by:

- phone - (801) 530-6630. Office hours are Monday through Thursday (except legal holidays) from 7:00 a.m. to 6:00 p.m., Mountain Standard Time
- email - DOPL@utah.gov
- online - http://dopl.utah.gov/investigations/complaint_form.html



new utah licenses. . .

August 18, 2009 through December 9, 2009:

Craig J. Almeleh
David L. Arnson
Pacal A. Aughtry
Wesley D. Baker
Anthony J. Bayus
Robert O. Beishline
Darren J. Bell
Fredrick H. Bennett III
Glenn W. Birx
Stephen A. Booth
Joel W. Bringhurst
Darryl K. Cartozian
Thomas W. Chapman
Harriet R. Cherry
Christian B. Childs
Thomas A. Edson
Kevin T. Evernham
Stephen G. Furnstahl
Benjamin J. Girardin
Paul L. Haberman
James Allen Hailey
Erick C. Hoff
Joshua E. Howa
Adam C. Jensen
Stephen J. Kennedy

Howard A. Lasseter
Philip C. Lederach
Scott A. Lee
Kevin P. Lewis
Joseph S. Milillo
Douglas Moon
Stephen G. Moore
Tesuya Okazaki
W. Blaine Paxton
William D. Purcell
Scott F. Reed
Peter H. Skirbst
Michael B. Smith
Stephen W. Smith
Gregory G. Simonoff
Henry B. Thompson
David W. Triplett
Todd C. Voth
James C. White
George K. Wickwire
James R. Zane
Leo C. Zerjav



current licensees

DOPL provides the public the ability to look up information about any individual or entity holding a license at <https://secure.utah.gov/llv/llv>. From this web page it is possible to look up information by name, profession or license number. From this page it is possible to view summary information about a licensee which includes:

- Name
- City, State, Zip
- Profession
- License Type
- License Number
- License Status
- Original Issue Date
- Expiration Date

Note: Street address, phone and other protected information is not available online.

newsletter fine print. . .

This newsletter is a publication produced by the Utah Architects Licensing Board and is intended to share pertinent information with architects licensed by State of Utah, Division of Occupational and Professional Licensing. Suggestions for content for future newsletters should be sent to Jeanne Jackson, AIA, NCARB, LEED AP
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