



TBPG Quarterly Update

New TBPG Board Members Appointed

Governor Abbott has appointed new Board Members with terms to expire February 1, 2021. Lindsey Lee Bradford from Edna, Texas, was appointed as a Public Member, and Bereket M. Derie, Ph.D., P.G., from Round Rock, Texas, and Steven Fleming, P.G., from Midland, Texas, were appointed as Professional Members.

Highlights from the April 29, 2016 Board meeting

Proposed Agreed Board Orders.

- For complaint case No. 2015025, the proposed order failed unanimously. The Board approved an order for No. 2015025 of a \$200 administrative penalty and no public reprimand, in a vote of 5-0, with Members Mathewson and Johnson recused.
- For complaint case No. 2015051, the Board adopted the Proposed Board Order by unanimous consent, with Members Mathewson and Johnson recused. Disciplinary actions taken by TBPG may be found on the website under the Enforcement/Disciplinary Actions link.

TBPG Strategic Plan for fiscal years 2017-2021. The Board reviewed the Financial Review and Strategic Planning Committee's proposed Strategic Plan for 2017-2021. The Board unanimously approved the draft and granted authority to TBPG Chairman Hallmark and Committee Chairman Greg Ulmer to finalize the Strategic Plan and submit the final plan to the state on or before June 24, 2016. The final Strategic Plan will be posted on the TBPG website once it has been approved and submitted.

Legislative Appropriations Request (LAR) for FY 2018-2019. The Board acknowledged that there are no exceptional item requests (requests for additional money). The Board also unanimously granted authority to Board Chair Hallmark to approve and submit the final LAR for TBPG on or

before the stated submission deadline.

Criteria for waiver of the ASBOG® Practice of Geology exam. The Board unanimously agreed to table the proposed draft policy, and send it back to the Application Review/Continuing Education Committee for further review.

Regarding whether certain continuing education can be counted as "equivalent coursework" for the educational requirements for licensure per Texas Geoscience Practice Act (TGPA) §1002.255(a)(2). The Board unanimously approved an FAQ as presented to allow for continuing education courses that are taught as technical/scientific courses which are equivalent to an upper division academic course with a primary learning objective of providing professional level education be counted as "equivalent coursework" for the educational requirement for licensure. The approved FAQ is available at the following link: [PG Licensing FAQs](#).

Regarding whether the TBPG should have a policy relating to the substitution of experience for education required for licensure, in light of Sunset Occupational Licensing/ Regulation standards. This item was recommended to be carried over until the next Board meeting. No action was taken.

Regarding whether the TBPG should have a policy relating to the waiver of education required for licensure, in light of Sunset Occupational Licensing/ Regulation standards. This item was recommended to be carried over until the next Board meeting. No action was taken.

Regarding whether the TBPG should have a policy relating to the waiver of experience required for licensure, in light of Sunset Occupational Licensing/ Regulation standards. The Board unanimously approved that the qualifying work experience that is required for Professional Geoscience licensure as per the statute and rules is a necessary requirement. The Board determined that a policy for the waiver of education is not warranted.

Complaint Investigation and Enforcement Standard Operating Procedures (SOPs). By motion and unanimous consent, the Board adopted the following changes to TBPG's complaint process:

- That in the investigation stage of a complaint, staff can dismiss administrative, meritless, and non-jurisdictional complaints;
- That staff can investigate and inform the respondent that this is the last opportunity to present information and maintain its confidentiality and not in a public meeting, as a part of the staff investigation;
- That the Complaint Review Team (CRT) meeting will be conducted as an open meeting, will be attended by one professional and one public Board member, and complaints will be redacted or de-identified;
- That the CRT meeting prior to issuance of a Notice of Violation (NOV), the respondent may present additional information at the

risk of the loss of confidentiality; however, the complainant may not present any information; and

- That CRT meetings conducted after the NOV is issued are conducted as open meetings, and new information related to the complaint no longer needs to be redacted.

The Complaint and Enforcement Committee was tasked to review and update the Standard Operating Procedures to incorporate the changes.

Upcoming Meetings

The next Board meeting is scheduled on Friday, July 22, 2016. Committees are scheduled to meet on Thursday, July 21, 2016.

Charles Horton | Texas Board of Professional Geoscientists
chorton@tbpg.state.tx.us | 512-936-4400 | tbpg.state.tx.us