

TBPG Quarterly Update - February 2017

Highlights from the October 28, 2016 Board Meeting

Waiver policy regarding the education requirement. The Board unanimously adopted the Application Review and Continuing Education Committee's recommended criteria for the waiver of the education requirement as edited. The Board's waiver policies can be found here: [Form VI - Request for Waiver Policy and Acknowledgement](#). It is also found on the TBPG website under the "Forms" link.

Request for waiver of the ASBOG® examinations. TBPG's Appointed Board reviewed Mr. Mark Varhaug's request for a waiver of the ASBOG® Fundamentals of Geology and Practice of Geology examinations. The Board unanimously approved the waiver of both examinations.

Texas Geophysics Examination policy. The Board considered the Application Review/Continuing Education Committee's proposed policy providing criteria for retaking the Texas Geophysics Examination. The policy was adopted by the Board by unanimous consent.

TBPG's Complaint Standard Operating Procedures (SOPs). The Board reviewed the Compliance and Enforcement Committee's recommended changes to TBPG's Complaint SOPs and input from Assistant Attorney General Melissa Juarez. The Board unanimously adopted the recommended changes.

Dismissed complaints. The Appointed Board reviewed the complaints that were recommended for dismissal by the TBPG Complaint Review Teams. Complaint Cases 2016031, 2016032, 2016033, and 2016054 were dismissed by the Board by unanimous consent.

Agreed Board Orders:

- Complaint case #2015025 was adopted by unanimous consent, with Members Johnson and Mathewson being recused.
- Complaint case #2016020 was adopted by unanimous consent with Member Mathewson recused.
- Complaint cases #2016035, 2016043, and 2016044 were adopted by unanimous consent with Members Bradford and Mathewson recused.

Disciplinary actions taken by the Appointed Board may be found on the website under the Enforcement/Disciplinary Actions link.

TBPG reviewed the use of alternate members on TBPG committees.

The Appointed Board adopted by unanimous consent the following new rules and amendments:

- Amendment to 851.29, regarding reciprocal licensure

- Amendment to 851.31, regarding temporary licensure
- Amendment to 851.32, regarding the continuing education program
- New rule 851.35, regarding voluntary surrender of a license
- New rule 851.113, regarding duty to abide by Board Order and timely pay administrative penalty
- New rule 851.203, regarding default proceedings in contested case hearings scheduled with the State Office of Administrative Hearings (SOAH)
- New rule 851.204, regarding costs of administrative hearings

The adopted rules can be viewed here: [TBPG Rule Amendments-2016](#). They are also on the Rules page of the TBPG website, and in the November 18, 2016 issue of the [Texas Register](#).

Licensing and Enforcement

January 2017 Numbers

4117 Professional Geoscientists
342 Registered Geoscience Firms
124 Geoscientists-in-Training

Enforcement numbers for fiscal year 2016

34 = total complaints were opened in FY 16.
46 = the number of complaints that are currently open. Thirty-eight (38) of these are for continuing education violations. Six (6) are for unregistered or unlicensed practice. Two (2) are for P.G. seal violations.

On January 12, 2017, TBPG held a Complaint Review Team (CRT) meeting and reviewed nine complaints. The CRT recommended that two of those complaints be dismissed. The other nine were issued notices of violation (NOV). The cases that are recommended for dismissal will be presented to the Board at the February 24, 2017 Board meeting for determination.

Upcoming Meetings

Application Review/ Continuing Education Committee - February 23, 2017
Compliance/Enforcement Committee - February 23, 2017
General Issues Committee - February 24, 2017
TBPG Board Meeting - February 24, 2017