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**VIRTUAL/TELECONFERENCE MEETING  
ARCHITECT SECTION  
EXAMINING BOARD OF ARCHITECTS, LANDSCAPE ARCHITECTS,  
PROFESSIONAL ENGINEERS, DESIGNERS, PROFESSIONAL LAND SURVEYORS,  
AND REGISTERED INTERIOR DESIGNERS  
Virtual, 4822 Madison Yards Way, Madison  
Contact: Will Johnson (608) 266-2112  
October 8, 2024**

*The following agenda describes the issues that the Section plans to consider at the meeting. At the time of the meeting, items may be removed from the agenda. Please consult the meeting minutes for a record of the actions of the Section.*

**AGENDA**

**9:00 A.M.**

**OPEN SESSION – CALL TO ORDER – ROLL CALL**

- A. Adoption of Agenda (1-3)**
- B. Approval of Minutes of April 9, 2024 (4-8)**
- C. Introductions, Announcements and Recognition
- D. Reminders: Conflicts of Interest, Scheduling Concerns
- E. Administrative Matters**
  - 1) Department, Staff and Section Updates
  - 2) Delegation of Authorities (9-22)**
  - 3) Section Member – Term Expiration Dates
    - a. Douglas, Gregory A. – 7/1/2027
    - b. Gersich, A. James – 7/1/2015
    - c. Rohit Sant, Anuya – 7/1/2025
    - d. Wagner, Roy – 7/1/2027
- F. Legislative and Policy Matters – Discussion and Consideration
- G. Administrative Rule Matters – Discussion and Consideration (23)**
  - 1) Pending and Possible Rulemaking Projects (24)
- H. Speaking Engagements, Travel, or Public Relation Requests, and Reports – Discussion and Consideration**
  - 1) Travel Report: 2024 NCARB Annual Business Meeting. June 12-15, 2024, in Chicago, IL.
- I. Liaison Reports – Discussion and Consideration

- J. Discussion and Consideration of Items Added After Preparation of Agenda:
- 1) Introductions, Announcements and Recognition
  - 2) Administrative Matters
  - 3) Election of Officers
  - 4) Appointment of Liaisons and Alternates
  - 5) Delegation of Authorities
  - 6) Education and Examination Matters
  - 7) Credentialing Matters
  - 8) Practice Matters
  - 9) Legislative and Policy Matters
  - 10) Administrative Rule Matters
  - 11) Liaison Reports
  - 12) Board Liaison Training and Appointment of Mentors
  - 13) Informational Items
  - 14) Division of Legal Services and Compliance (DLSC) Matters
  - 15) Presentations of Petitions for Summary Suspension
  - 16) Petitions for Designation of Hearing Examiner
  - 17) Presentation of Stipulations, Final Decisions and Orders
  - 18) Presentation of Proposed Final Decisions and Orders
  - 19) Presentation of Interim Orders
  - 20) Petitions for Re-Hearing
  - 21) Petitions for Assessments
  - 22) Petitions to Vacate Orders
  - 23) Requests for Disciplinary Proceeding Presentations
  - 24) Motions
  - 25) Petitions
  - 26) Appearances from Requests Received or Renewed
  - 27) Speaking Engagements, Travel, or Public Relation Requests, and Reports

**K. Public Comments**

**CONVENE TO CLOSED SESSION to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (ss. 19.85(1)(b), and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85(1)(f), Stats.); and to confer with legal counsel (s. 19.85(1)(g), Stats.).**

**L. Deliberation on Division of Legal Services and Compliance (DLSC) Matters**

- 1) **Case Closings**
  - a. 22 ARC 009 – R.A.L. (25-29)
  - b. 23 ARC 001 – P.A. (30-33)
- 2) **Proposed Stipulations, Final Decisions and Orders**
  - a. 22 ARC 003 – Jason D. Gnich (34-39)
  - b. 22 ARC 009 – Peter S. Renner & Jeffrey A. Natrop (40-46)
  - c. 23 ARC 001 – Pat L. Schmitt (47-52)
- 3) **Monitoring**
  - a. Ernest E. Tourville – Requesting Full Licensure (53-79)

**M. Deliberation of Items Added After Preparation of the Agenda**

- 1) Education and Examination Matters
- 2) Credentialing Matters
- 3) DLSC Matters

- 4) Monitoring Matters
- 5) Professional Assistance Procedure (PAP) Matters
- 6) Petitions for Summary Suspensions
- 7) Petitions for Designation of Hearing Examiner
- 8) Proposed Stipulations, Final Decisions and Order
- 9) Proposed Interim Orders
- 10) Administrative Warnings
- 11) Review of Administrative Warnings
- 12) Proposed Final Decisions and Orders
- 13) Matters Relating to Costs/Orders Fixing Costs
- 14) Case Closings
- 15) Board Liaison Training
- 16) Petitions for Assessments and Evaluations
- 17) Petitions to Vacate Orders
- 18) Remedial Education Cases
- 19) Motions
- 20) Petitions for Re-Hearing
- 21) Appearances from Requests Received or Renewed

N. Consulting with Legal Counsel

**RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION**

O. Vote on Items Considered or Deliberated Upon in Closed Session if Voting is Appropriate

P. Open Session Items Noticed Above Not Completed in the Initial Open Session

**ADJOURNMENT**

**NEXT MEETING: To Be Determined (2025)**

*Board Member Training: November 15, 2024*

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 MEETINGS AND HEARINGS ARE OPEN TO THE PUBLIC, AND MAY BE CANCELLED WITHOUT NOTICE.

Times listed for meeting items are approximate and depend on the length of discussion and voting. All meetings are held virtually unless otherwise indicated. In-person meetings are typically conducted at 4822 Madison Yards Way, Madison, Wisconsin, unless an alternative location is listed on the meeting notice. In order to confirm a meeting or to request a complete copy of the board's agenda, please visit the Department website at <https://dps.wi.gov>. The board may also consider materials or items filed after the transmission of this notice. Times listed for the commencement of disciplinary hearings may be changed by the examiner for the convenience of the parties. Requests for interpreters for the hard of hearing, or other accommodations, are considered upon request by contacting the Affirmative Action Officer, or reach the Meeting Staff by calling 608-267-7213.

**VIRTUAL/TELECONFERENCE  
ARCHITECT SECTION  
EXAMINING BOARD OF ARCHITECTS, LANDSCAPE ARCHITECTS  
PROFESSIONAL ENGINEERS, DESIGNERS, PROFESSIONAL LAND SURVEYORS  
AND REGISTERED INTERIOR DESIGNERS  
MEETING MINUTES  
APRIL 9, 2024**

**PRESENT:** Gregory Douglas, James Gersich, Roy Wagner

**EXCUSED:** Steven Wagner

**STAFF:** Will Johnson, Executive Director; Joseph Ricker, Legal Counsel; Dialah Azam, Board Administrative Specialist; and other Department Staff

**CALL TO ORDER**

Gregory Douglas, Chairperson, called the meeting to order at 9:01 a.m. A quorum was confirmed with three (3) members present.

**ADOPTION OF AGENDA**

**MOTION:** James Gersich moved, seconded by Gregory Douglas, to adopt the Agenda as published. Motion carried unanimously.

**APPROVAL OF MINUTES OF OCTOBER 10, 2023**

**MOTION:** James Gersich moved, seconded by Gregory Douglas, to approve the Minutes from October 10, 2023 as published. Motion carried unanimously.

**ADMINISTRATIVE MATTERS**

**Election of Officers, Appointment of Liaisons and Alternates, and Delegation of Authorities**

*Chairperson*

**NOMINATION:** James Gersich nominated Gregory Douglas for the Office of Chairperson. Gregory Douglas accepted the nomination.

Will Johnson, Executive Director, called for nominations three (3) times.

Gregory Douglas was elected as Chairperson by unanimous voice vote.

*Vice Chairperson*

**NOMINATION:** James Gersich nominated Roy Wagner for the Office of Vice Chairperson. Roy Wagner accepted the nomination.

Will Johnson, Executive Director, called for nominations three (3) times.

Roy Wagner was elected as Vice Chairperson by unanimous voice vote.

*Secretary*

**NOMINATION:** Gregory Douglas nominated James Gersich for the Office of Secretary.  
James Gersich accepted the nomination.

Will Johnson, Executive Director, called for nominations three (3) times.

James Gersich was elected as Secretary by unanimous voice vote.

<b>ELECTION RESULTS</b>	
<b>Chairperson</b>	Gregory Douglas
<b>Vice Chairperson</b>	Roy Wagner
<b>Secretary</b>	James Gersich

<b>LIAISON APPOINTMENTS</b>	
<b>Credentialing Liaison(s)</b>	James Gersich <i>Alternate: Gregory Douglas</i>
<b>Education and Examination Liaison(s)</b>	Gregory Douglas <i>Alternate: James Gersich</i>
<b>Monitoring Liaison(s)</b>	James Gersich <i>Alternate: Gregory Douglas</i>
<b>Professional Assistance Procedure Liaison(s)</b>	James Gersich <i>Alternate: Gregory Douglas</i>
<b>Legislative Liaison(s)</b>	Gregory Douglas <i>Alternate: Roy Wagner</i>
<b>Travel Authorization Liaison(s)</b>	Gregory Douglas <i>Alternate: James Gersich</i>
<b>Optional Renewal Notice Liaison(s)</b>	James Gersich <i>Alternate: Gregory Douglas</i>
<b>Website Liaison(s)</b>	James Gersich <i>Alternate: Gregory Douglas</i>
<b>A-E Rules Committee (Professional Member)</b>	Gregory Douglas <i>Alternate: James Gersich</i>

<b>Screening Panel</b>	Gregory Douglas, James Gersich <i>Alternate: Roy Wagner</i>
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**Delegation of Authorities**

**Review and Approval of 2023 Delegations**

**MOTION:** James Gersich moved, seconded by Gregory Douglas, to reaffirm all delegation motions from 2023 as reflected in the April 9, 2024 agenda materials. Motion carried unanimously.

**Document Signature Delegations**

**MOTION:** James Gersich moved, seconded by Gregory Douglas, in order to carry out duties of the Section, the Chairperson (or in absence of the Chairperson, the highest-ranking officer or longest serving section member in that succession) has the ability to delegate signature authority for purposes of facilitating the completion of assignments during or between meetings. The members of the Section hereby delegate to the Executive Director, Board Counsel, or DPD Division Administrator, the authority to sign on behalf of a section member as necessary. Motion carried unanimously.

***Monitoring Delegations***

**Delegation of Authorities for Monitoring**

**MOTION:** James Gersich moved, seconded by Gregory Douglas, to adopt the “Roles and Authorities Delegated for Monitoring” document as presented in the April 9, 2024 agenda materials on pages 20-22. Motion carried unanimously.

***Pre-Screening Delegation for Architect Section***

**Delegation of Authority to Pre-Screening Attorney**

**MOTION:** James Gersich moved, seconded by Gregory Douglas, to delegate to the screening attorney the authority to immediately open cases that consist solely of any one of the following, or combination of the following: practice by an individual holding an expired architect registration issued by the Section, practice by an individual on behalf of a firm that has an expired certificate of authorization issued by the Section, and practice by a firm with an expired certificate of authorization. Motion carried unanimously.

***Credentialing Authority Delegations***

**Delegation to Department Attorneys to Approve Duplicate Legal Issue**

**MOTION:** James Gersich moved, seconded by Gregory Douglas, to delegate authority to Department Attorneys to approve a legal matter in connection with a

renewal application when that same/similar matter was already addressed by the Section and there are no new legal issues. Motion carried unanimously.

### **SPEAKING ENGAGEMENTS, TRAVEL, OR PUBLIC RELATION DISCUSSION AND CONSIDERATION**

#### **Consider Attendance: 2024 NCARB Annual Business Meeting. June 12-15, 2024, in Chicago, IL.**

**MOTION:** James Gersich moved, seconded by Gregory Douglas, to designate Will Johnson to attend the 2024 NCARB Annual Business Meeting on June 12-15, 2024 in Chicago, IL, and act on behalf of the Section. Motion carried unanimously.

### **CLOSED SESSION**

**MOTION:** James Gersich moved, seconded by Gregory Douglas, to convene to closed session to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (ss. 19.85 (1)(b), and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85(1)(f), Stats.); and to confer with legal counsel (s. 19.85(1)(g), Stats.). Gregory Douglas, Chairperson, read the language of the motion. The vote of each member was ascertained by voice vote. Roll Call Vote: Gregory Douglas-yes; James Gersich-yes; and Roy Wagner - yes. Motion carried unanimously.

The Section convened into Closed Session at 10:37 a.m.

### **DELIBERATION ON DIVISION OF LEGAL SERVICES AND COMPLIANCE (DLSC) MATTERS**

#### **Administrative Warnings**

##### ***23 ARC 017 – J.W., K.A.L.***

**MOTION:** Gregory Douglas moved, seconded by James Gersich, to issue an Administrative Warning in the matter of J.W., K.A.L., DLSC Case Number 23 ARC 017. Motion carried unanimously.

#### **Case Closings**

**MOTION:** James Gersich moved, seconded by Gregory Douglas, to close the following DLSC Cases for the reasons outlined below:

1. 22 ARC 005 – T.K. – Prosecutorial Discretion (P1)
2. 23 ARC 014 – L.L. & L.A.L. – Insufficient Evidence

Motion carried unanimously.

#### **Proposed Stipulations, Final Decisions and Orders**

**MOTION:** James Gersich moved, seconded by Gregory Douglas, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings of the following cases:

1. 23 ARC 004 – Ernest Tourville
2. 23 ARC 015 – Michael Theiss, Brian Sharon, Binder Ghidorzi Architectural Services LLC

Motion carried unanimously.

### **RECONVENE TO OPEN SESSION**

**MOTION:** James Gersich moved, seconded by Gregory Douglas, to reconvene into Open Session. Motion carried unanimously.

The Section reconvened into Open Session at 10:54 a.m.

### **VOTING ON ITEMS CONSIDERED OR DELIBERATED IN CLOSED SESSION**

**MOTION:** James Gersich moved, seconded by Gregory Douglas, to affirm all motions made and votes taken in Closed Session. Motion carried unanimously.

*(Be advised that any recusals or abstentions reflected in the closed session motions stand for the purposes of the affirmation vote.)*

### **ADJOURNMENT**

**MOTION:** Gregory Douglas moved, seconded by James Gersich, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 10:56 a.m.



**State of Wisconsin  
Department of Safety & Professional Services**

**AGENDA REQUEST FORM**

1) Name and title of person submitting the request: Paralegal Richanda Turner, on behalf of Attorney Joseph Ricker		2) Date when request submitted: 09/25/2024 <small>Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting</small>	
3) Name of Board, Committee, Council, Sections: Architect Section			
4) Meeting Date: 10/08/2024	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Delegation of Authorities	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <i>(If yes, please complete <a href="#">Appearance Request</a> for Non-DSPS Staff)</i>  <input type="checkbox"/> Yes <Appearance Name(s)> <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if applicable: N/A	
10) Describe the issue and action that should be addressed: The Board members need to review and consider the delegation of authorities as it relates to the Board Monitoring Liaison.			
11) Authorization			
<i>Richanda Turner</i>		09.25.24	
Signature of person making this request		Date	
Supervisor (Only required for post agenda deadline items)		Date	
Executive Director signature (Indicates approval for post agenda deadline items)		Date	
Directions for including supporting documents: 1. This form should be saved with any other documents submitted to the <a href="#">Agenda Items</a> folders. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			



**State of Wisconsin**  
**DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES**  
**CORRESPONDENCE / MEMORANDUM**

**DATE: January 9, 2024**

**TO: Board, Council, and Committee Members**

**FROM: Legal Counsel**

**SUBJECT: Liaison Definitions and Delegations Explanations**

### **Overall Purpose of Liaison Appointments**

Each Board/Section (Board) has inherent authority that is established in our Wisconsin Statutes. This authority may change from Board to Board. For further information on your Board's authority review Wis. Stat. ch. 15. Generally, each Board has authority to grant credentials, discipline credential holders, and set standards for education and examinations. Additionally, Liaisons assist with the operations of the Boards purpose by weighing in on legislative matters, traveling to national conferences, or communicating with stakeholders.

The Department asks that each year the Boards make liaison appointments to assist the Board and Department to accomplish these tasks in an efficient manner. Your practical knowledge and experience, as an appointed member of a professional board, are essential in making determinations regularly. The Liaison positions below assist the Department to complete operations between Board meetings. In most cases, Liaisons can make decisions for the full Board in their designated area. These are determined through the delegation process. However, a Liaison may also decide to send the delegated issue to the full Board for consideration as appropriate. Delegations assist the Board in defining the roles and authorities of each Liaison.

### **Liaison Definitions**

**Credentialing Liaison:** The Credentialing Liaison is empowered by the Board to review and make determinations regarding certain applications for credentials. The Credentialing Liaison may be called on by Department staff to answer questions that pertain to qualifications for licensure, which may include whether a particular degree is suitable for the application requirements, whether an applicant's specific work experience satisfies the requirements in statute or rule for licensure, or whether an applicant's criminal or disciplinary history is substantially related to the practice of the profession in such a way that granting the applicant a credential would create a risk of harm to the public. Questions will likely be sent by Department

staff to the Credentialing Liaison via email and may include application materials. The Credentialing Liaison serves a very important role in the credentialing process.

**Monitoring Liaison:** The Monitoring Liaison is empowered by the Board to make decisions on any credential that is limited either through a disciplinary order or initial licensure. The Department Monitors will send requests from credential holders to the Monitoring Liaison. These requests vary wildly. A common request could be to remove a limitation that has been placed on a credential or to petition for full licensure. The Monitoring Liaison can review these requests and make decisions on behalf of the Board. The Board has the authority to grant decision making latitude to their liaison to any degree. The specific monitoring delegations are found in the Monitoring Document attached to the agenda. If the Monitoring Liaison has a question on a request, it is advisable for the Liaison to consult further with Department staff or bring the matter to the full Board for consideration.

**Professional Assistance Procedure (PAP) Liaison:** PAP is a voluntary program open to credential holders with substance abuse issues who wish to seek help by being held accountable through treatment and monitoring by the Department and Board. As part of PAP, the credential holder enters into an agreement with the Department to undergo testing, counseling, or other rehabilitation. The PAP Liaison's role includes responding to credential holders' requests for modifications and terminations of provisions of the agreement. Similar to the Monitoring Liaison, the Department Monitors will send requests from credential holders to the PAP Liaison for further review.

**Education and Examination Liaison:** Some Boards are required by statute or rule to approve qualifying education and examinations. The Education and Examination Liaison provides guidance to Department staff to exercise authority of the Board to approve or decline examinations and educational programs. This determination requires a level of professional expertise and should be performed by a professional member of the Board. For some Boards, the Education and Examination Liaison will also be tasked with approving continuing education programs and courses.

**Legislative Liaison:** The Legislative Liaison is permitted to act and speak on the Board's behalf regarding pending and enacted legislation or actions being considered by the legislature outside of Board meetings. The Legislative Liaison is not the Board's designated lobbyist and should exercise their delegated authority carefully.

**Travel Authorization Liaison:** The Travel Authorization Liaison is authorized to approve a Board member to travel to events and speak or act on the Board's behalf between Board meetings. The Travel Authorization Liaison is called upon to make decisions when sufficient notice was not received, and the full Board could not determine a representative to travel. The Travel Authorization Liaison is tasked with making determinations if the Board appointed representative is not able to attend or if the Board becomes authorized to send additional members. As scholarship and funding streams can be unpredictable.

**Communication Liaison:** The Communication Liaison responds on behalf of the Board when questions arise that require a response from the Board. The Communication Liaison works with

the Department to cultivate an appropriate response. The Communication Liaison can be responsible for all types of communication on behalf of the Board. However, the Board can appoint a separate **Website Liaison** to work with DSPS staff to make changes and ensure the Board webpage contains updated and accurate information. Additionally, for the Boards that are required by statute to produce a newsletter or digest. The Board can appoint a separate **Newsletter/Digest Liaison** to assemble and approve content for those communications.

**Screening Panel Members:** The duties of the Screening panel are to review incoming complaints against credential holders and determine which complaints should be opened for investigation and which complaints should be closed without further action. The complexity and amount of work in this role depends substantially on your particular Board. As a member of the Screening panel you are asked to apply your professional expertise to determine if a complaint alleges unprofessional conduct.

## **Delegations Explanations**

### **Credentialing Delegations**

*The overall purpose of credentialing delegations is to allow the credentialing process to proceed as efficiently and effectively as possible.*

#### **Delegation of Authority to Credentialing Liaison (Generic)**

MOTION EXAMPLE: to delegate authority to the Credentialing Liaison(s) to serve as a liaison between the Department and the Board and to act on behalf of the Board in regard to credentialing applications or questions presented to them, including the signing of documents related to applications.

PURPOSE: To permit one representative of the Board to assist Department staff with credentialing applications and eliminate the need for the entire Board to convene to consider credential application content or questions. Additionally, it is most efficient to have the designated liaison who has assisted with the credentialing process to be able to effectuate decisions which require a signature.

#### **Delegation of Authority to DSPS When Credentialing Criteria is Met**

MOTION EXAMPLE: to delegate credentialing authority to the Department to act upon applications that meet all credentialing statutory and regulatory requirements without Board or Board liaison review.

PURPOSE: To permit Department staff to efficiently issue credentials and eliminate the need for Board/Section/Liaison review when all credentialing legal requirements are met in an application.

### **Delegation of Authority for Predetermination Reviews**

MOTION EXAMPLE: to delegate authority to the Department Attorneys to make decisions regarding predetermination applications pursuant to Wis. Stat. § 111.335(4)(f).

PURPOSE: In general, the Wisconsin Fair Employment Act (codified in Wis. Stat. Ch. 111) prohibits licensing agencies from discriminating against applicants because of their arrest and/or conviction record. However, there are exceptions which permit denial of a license in certain circumstances. Individuals who do not possess a license have a legal right to apply for a determination of whether they are disqualified from obtaining a license due to their conviction record. This process is called “Predetermination”. Predeterminations must be completed within 30 days. This delegation allows Department Attorneys to conduct predetermination reviews and efficiently make these legal determinations without need for Board/Section/Liaison review.

### **Delegation of Authority for Conviction Reviews**

MOTION EXAMPLE: to delegate authority to the Department Attorneys to review and approve applications with convictions which are not substantially related to the practice.

PURPOSE: As used here, “substantially related” is a legal standard that is used in the Wisconsin Fair Employment Act. The concept of what is “substantially related” is informed by case law. This delegation permits Department Attorneys to independently conduct conviction reviews and efficiently approve applications if convictions are not substantially related to the practice of the profession. Applications that contain conviction records that may be substantially related to the practice of a profession will still be submitted to the Credentialing Liaison for input.

### **Delegation to DSPS When Applicant’s History Has Been Previously Reviewed**

MOTION EXAMPLE: to delegate authority to Department staff to approve applications where Applicant’s prior discipline has been approved for a previous credential and there is no new discipline.

PURPOSE: Some Boards offer progressive levels of credentials. This delegation eliminates the need for a re-review of discipline that has already been considered and approved by the Board/Section/Liaison for a lower-level credential.

### **Delegation to DSPS When Applicant’s Conviction History Has Been Previously Reviewed**

MOTION EXAMPLE: to delegate authority to Department staff to approve applications where criminal background checks have been approved for a previous credential and there is no new conviction record.

PURPOSE: Some Boards offer progressive levels of credentials. This delegation eliminates the need for a re-review of conviction history that has already been reviewed and approved for a lower-level credential.

### **Delegation of Authority for Reciprocity Reviews**

MOTION EXAMPLE: to delegate authority to the Department Attorneys to review and approve reciprocity applications in which the out of state license requirements meet Wisconsin license requirements. (specific legal standards are referenced in the motion depending on credential/profession type).

PURPOSE: Applications via reciprocity or endorsement require comparison of Wisconsin licensing requirements to the licensing requirements of another jurisdiction. These reviews consider the legal standard for reciprocity, which varies by profession, as well as the specified legal requirements to obtain licensure in the profession. This delegation permits Department Attorneys to independently conduct reciprocity reviews and efficiently approve applications if legal standards and requirements are met for licensure. Applications for which reciprocity may not be available will still be submitted to the Credentialing Liaison for input.

### **Delegation of Authority for Military Reciprocity Reviews**

MOTION EXAMPLE: to delegate authority to the Department Attorneys to review and approve military reciprocity applications in which the individual meets the requirements of Wis. Stat. § 440.09.

PURPOSE: The law permits service members, former service members, and their spouses to be licensed if they hold licensure in other jurisdictions that qualify them to perform acts authorized by the credential they are seeking in Wisconsin. This is a shortened path to licensure that does not require meeting the specific requirements/standards for licensure/reciprocity in a profession. By law, the Department/Board must expedite the issuance of a reciprocal license via military reciprocity. This delegation permits Department Attorneys to independently conduct military reciprocity reviews and efficiently approve applications if legal standards and requirements are met for licensure. Applications for which reciprocity may not be available will still be submitted to the Credentialing Liaison for input.

### **Delegation of Authority for Application Denial Reviews**

MOTION EXAMPLE: to delegate authority to the Department's Attorney Supervisors to serve as the Board designee for purposes of reviewing and acting on requests for hearing as a result of a denial of a credential.

PURPOSE: When an application is denied, the applicant has a legal right to appeal the denial determination. Applicants must meet a specified legal standard in order to have an appeal granted. Additionally, Wisconsin law sets specific time frames for appeal decisions. This delegation permits Department Attorney Supervisors to independently review and efficiently act on requests for hearing as a result of a denial of a credential.

## **Delegation to Department Attorneys to Approve Duplicate Legal Issue**

MOTION EXAMPLE: to delegate authority to Department Attorneys to approve a legal matter in connection with a renewal application when that same/similar matter was already addressed by the Board and there are no new legal issues for that credential holder. Motion carried unanimously.

PURPOSE: The intent of this delegation is to be able to approve prior discipline by the Board for the renewal applicant. This delegation eliminates the need for a re-review of discipline that has already been considered and approved by the Board/Section/Liaison.

## **Monitoring Delegations**

*The overall purpose of monitoring delegations is to be able to enforce the Boards orders and limited licenses as efficiently and effectively as possible. Monitoring delegations have two categories: delegations to the monitoring liaison and delegations to the Department Monitor.*

## **Delegation of Authority to Department Monitor**

MOTION EXAMPLE: to delegate authority to the Department Monitor

- a. to grant full reinstatement of licensure if education is the only limitation and credential holder has submitted the required proof of course completion.
- b. to suspend the credential if the credential holder has not completed Board ordered education, paid costs, paid forfeitures, within the time specified by the Board Order.
- c. to lift a suspension when compliance with education and costs provisions have been met.

PURPOSE: These delegations allow for the Department Monitor to automatically act on requests when certain criteria are met or not met without needing to burden the Board Monitoring Liaison. The Board can set their own criteria for what actions they would like to be handled by the Department, the Monitoring Liaison and the full Board.

## **Delegation of Authority to Monitoring Liaison**

MOTION EXAMPLE: to delegate authority to the Monitoring Liaison to approve or deny all requests received by the credential holder.

PURPOSE: These delegations allow the Board to set criteria for what decisions can be made by the Board member(s) serving as the Monitoring Liaison and what matters should be decided by the full Board. The Board has the authority to set specific criteria or to permit the liaison to make all determinations at their discretion.

### ***Education and Exam Delegations***

MOTION EXAMPLE: to delegate authority to the Education and Examination Liaison(s) to address all issues related to continuing education and examinations. Motion carried unanimously. (Differs by Board)

PURPOSE: Some Boards are responsible for approving qualifying educational programs or continuing education courses. A delegation is executed in order for a Board member to make these determinations on behalf of the Boards and with assistance of the Department. Additionally, some Boards review examinations and individual scores to qualify for a credential.

### **Miscellaneous Delegations**

#### ***Document Signature***

MOTION EXAMPLE: to delegate authority to the Chairperson (or in absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession) to sign documents on behalf of the Board in order to carry out its duties. Motion carried unanimously.

MOTION EXAMPLE: in order to carry out duties of the Board, the Chairperson (or in absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession) has the ability to delegate signature authority for purposes of facilitating the completion of assignments during or between meetings. The members of the Board hereby delegate to the Executive Director, Board Counsel or DPD Division Administrator, the authority to sign on behalf of a Board member as necessary. Motion carried unanimously.

PURPOSE: In order to take the action approved at Board meetings, the Department may need to draft correspondence and/or Orders after the meetings have adjourned. These actions then need to be signed by a Board Member. This interaction usually takes place over email and a Board member can authorize the use of his/her signature that is kept on file.

#### ***Urgent Matters***

MOTION EXAMPLE: in order to facilitate the completion of urgent matters between meetings, the Board delegates its authority to the Chairperson (or, in the absence of the Chairperson, the highest-ranking officer or longest serving Board member in that succession), to appoint liaisons to the Department to act in urgent matters. Motion carried unanimously.

PURPOSE: Allows for quick responses to urgent matters that may need Board approval or for which the Department requires guidance from the Board.



## ***Delegation to Chief Legal Counsel***

### **Due to Loss of Quorum**

**MOTION EXAMPLE:** to delegate the review and authority to act on disciplinary cases to the Department's Chief Legal Counsel due to lack of/loss of quorum after two consecutive meetings. Motion carried unanimously.

**PURPOSE:** Sometimes Boards can struggle to meet quorum necessary to conduct business. This happens for a multitude of reasons but this delegation allows for the Boards to have disciplinary cases decided by Chief Legal Counsel if the Board fails to meet quorum for two consecutive meetings.

### **Stipulated Resolutions**

**MOTION EXAMPLE:** to delegate to the Department's Chief Legal Counsel (CLC) the authority to act on behalf of the Board concerning stipulated resolutions providing for a surrender, suspension, or revocation of a credential, where the underlying merits involve serious and dangerous behavior, and where the signed stipulation is received between Board meetings. The Board further requests that CLC only act on such matters when the best interests of the Board, Department and the Public are best served by acting upon the stipulated resolution at the time the signed stipulation is received versus waiting for the next Board meeting. Motion carried unanimously.

**PURPOSE:** For matters of public safety, it may be necessary to take immediate action on a stipulated agreement rather than allowing a credential holder to continue practicing unencumbered until the next scheduled meeting. This delegation allows CLC to act on behalf of the Board when there is a stipulated agreement. A stipulated agreement is an agreement to which all relevant parties have consented to the terms.

### ***Voluntary Surrenders***

**MOTION:** to delegate authority to the assigned case advisor to accept or refuse a request for voluntary surrender pursuant to Wis. Stat. § 440.19 for a credential holder who has a pending complaint or disciplinary matter.

**MOTION:** to delegate authority to the Department to accept the voluntary surrender of a credential when there is no pending complaint or disciplinary matter with the Department pursuant to Wis. Stat. § 440.19.

**PURPOSE:** Credential holders can ask the Boards to surrender their credentials at any time. These delegations are in place for the different situations that arise from those requests. If a credential holder is seeking to surrender their credential because they wish to leave the profession that can be processed with this delegation by the Department if they have no pending disciplinary complaints. If the credential holder wishes to surrender while they have a pending disciplinary complaint that request is reviewed by the individual Board member assigned to the case.

### ***DLSC Pre-screening***

MOTION EXAMPLE: to delegate pre-screening decision making authority to the DSPS screening attorney for opening cases where the credential holder has failed to respond to allegations contained in the complaint when requested by intake (Case will be opened on failure to respond and the merits of the complaint).

PURPOSE: Pre-Screening delegations exist so the Board can define specific parameters where the Department can review disciplinary complaints and open those cases if they meet certain criteria. Boards also have the authority to set certain criteria that would allow the Department to review and close a case if the criteria is met.

## **Roles and Authorities Delegated for Monitoring**

The Monitoring Liaison (“Liaison”) is a Board/Section designee who works with department monitors (“Monitor”) to enforce Board/Section orders as explained below.

### **Authorities Delegated to the Monitoring Liaison**

The Liaison may take the following actions on behalf of the Board/Section:

1. Grant a temporary reduction in random drug screen frequency upon Respondent’s request if he/she is unemployed and is otherwise compliant with Board/Section order. The temporary reduction will be in effect until Respondent secures employment in the profession. The Department Monitor (“Monitor”) will draft an order and sign on behalf of the Liaison.
2. Grant a stay of suspension if Respondent is eligible per the Board/Section order. The Monitor will draft an order and sign on behalf of the Liaison.
3. Remove the stay of suspension if there are repeated violations or a substantial violation of the Board/Section order. In conjunction with removal of any stay of suspension, the Liaison may prohibit Respondent from seeking reinstatement of the stay for a specified period of time. The Monitor will draft an order and sign on behalf of the Liaison.
4. Grant or deny approval when Respondent proposes continuing/disciplinary/remedial education courses, treatment providers, mentors, supervisors, change of employment, etc. unless the order specifically requires full-Board/Section approval.
5. Grant full reinstatement of licensure if Respondent has fully complied with all terms of the order without deviation. The Monitor will draft an order and obtain written authorization from the Liaison to sign on their behalf.
6. Grant or deny a request to appear before the Board/Section in closed session.
7. The Liaison may determine whether Respondent’s petition is eligible for consideration by the full Board/Section.
8. Accept Respondent’s written request to surrender credential. If accepted by the Liaison, Monitor will consult with Board Counsel to determine if a stipulation is necessary. If a stipulation is not necessary, Monitor will draft an order and sign on behalf of the Liaison. If denied by the Liaison, the request to surrender credential will go to the full Board for review. (Except PHM, MED)

9. Grant Respondent's petition for a reduction in drug screens per the standard schedule, below. If approved, Monitor will draft an order and sign on behalf of the Liaison. Orders that do not start at 49 screens will still follow the same standard schedule.
  - a. Initial: 49 screens (including 1 hair test, if required by original order)
  - b. 1st Reduction: 36 screens (plus 1 hair test, if required by original order)
  - c. 2nd Reduction: 28 screens plus 1 hair test
  - d. 3rd Reduction: 14 screens plus 1 hair test
10. (*Dentistry only*) Ability to approve or deny all requests from a respondent.
11. The Liaison may approve or deny Respondent's request to be excused from drug and alcohol testing for work, travel, etc. (Applies only to these Boards: Dietitians, Massage/Bodywork Therapy Board, DEN, PAB, CHI, MED, RAD)
12. The Liaison may have full authority to approve or deny a request from a Respondent that otherwise would require the approval of the full Board if the request cannot be heard and voted on due to lack of/loss of quorum.
13. The Liaison may have full authority to terminate any treatment ONLY upon written request from Respondent and written recommendation from Respondents treater.

**Authorities Delegated to the Department Monitor**

The Monitor may take the following actions on behalf of the Board/Section, draft an order and sign:

1. Grant full reinstatement of licensure if education is the sole condition of the limitation and Respondent has submitted the required proof of completion for approved courses.
2. Suspend the license if Respondent has not completed Board/Section-ordered education and/or paid costs and forfeitures within the time specified by the Board/Section order. The Monitor may remove the suspension and issue an order when proof of completion and/or payment have been received.
3. Suspend the license (or remove stay of suspension) if Respondent fails to enroll and participate in an Approved Program for drug and alcohol testing within 30 days of the order, or if Respondent ceases participation in the Approved Program without Board approval. This delegated authority only pertains to respondents who must comply with drug and/or alcohol testing requirements.
4. Grant or deny approval when Respondent proposes treatment providers [mentors, supervisors, etc.] unless the Order specifically requires full-Board/Section or Board designee approval. (Except for MED)
5. Grant a maximum of one 90-day extension, if warranted and requested in writing by Respondent, to complete Board/Section-ordered continuing/disciplinary/remedial education.

6. Grant a maximum of one 90-day extension or payment plan for proceeding costs and/or forfeitures if warranted and requested in writing by Respondent.
7. Grant a maximum of one 90-day extension, if warranted and requested in writing by Respondent, to complete a Board/Section-ordered evaluation or exam.

**Authorities Delegated to Board Legal Counsel**

Board Legal Counsel may take the following actions on behalf of the Board/Section:

1. Sign Monitoring orders that result from Board/Section meetings on behalf of the Board/Section Chair.

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Updated 03/13/2023

2022 Roles & Authorities

### Delegation to Monitoring Liaison

**MOTION:** [Board Member Name] moved, seconded by [Board Member Name], to delegate authority to the Monitoring Liaison(s) to make any determination on Orders under monitoring and to refer to the Full Board any matter the Monitoring Liaison deems appropriate. Motion carried [ ] .

### Delegation to Department Monitor

**MOTION:** [Board Member Name] moved, seconded by [Board Member Name], to delegate authority to the Department Monitor as outlined below:

1. to grant reinstatement of licensure if education and/or costs are the sole condition of the order and the credential holder has submitted the required proof of completion for approved courses and paid the costs.
2. to suspend the license if the credential holder has not completed Board ordered education and/or paid costs and forfeitures within the time specified by the Board order. The Department Monitor may remove the suspension and issue an order when proof of completion and/or payment has been received.
3. to suspend the license (or remove stay of suspension) if a credential holder fails to enroll and participate in an Approved Program for drug and alcohol testing within 30 days of the order, or if credential holder ceases participation in the Approved Program without Board approval. This delegated authority only pertains to respondents who must comply with drug and/or alcohol testing requirements.
4. to grant or deny approval when a credential holder proposes treatment providers, mentors, and supervisors unless the Order specifically requires full-Board or Board designee approval.
5. to grant a maximum of one 90-day extension, if warranted and requested in writing by a credential holder, to complete Board ordered continuing, disciplinary, or remedial education.
6. to grant a maximum of one 90-day extension or payment plan for proceeding costs and/or forfeitures if warranted and requested in writing by a credential holder.
7. to grant a maximum of one 90-day extension, if warranted and requested in writing by a credential holder, to complete a Board ordered evaluation or exam.

Motion carried [ ] .

**State of Wisconsin  
Department of Safety & Professional Services**

**AGENDA REQUEST FORM**

<b>1) Name and title of person submitting the request:</b> Jake Pelegrin Administrative Rules Coordinator		<b>2) Date when request submitted:</b> 9/24/24 Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting											
<b>3) Name of Board, Committee, Council, Sections:</b> Architects Section													
<b>4) Meeting Date:</b> 10/8/24	<b>5) Attachments:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<b>6) How should the item be titled on the agenda page?</b> Administrative Rule Matters – Discussion and Consideration 1. Pending or possible rulemaking items											
<b>7) Place Item in:</b> <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	<b>8) Is an appearance before the Board being scheduled?</b> <i>(If yes, please complete <a href="#">Appearance Request</a> for Non-DSPS Staff)</i> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<b>9) Name of Case Advisor(s), if required:</b> N/A											
<b>10) Describe the issue and action that should be addressed:</b>  Attachments: -A-E Rules Chart													
<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%; border-bottom: 1px solid black;"> <b>11)</b> <i>Jake Pelegrin</i> </td> <td style="width: 40%; text-align: center; border-bottom: 1px solid black;"> <b>Authorization</b> </td> </tr> <tr> <td style="border-bottom: 1px solid black;">                 Signature of person making this request             </td> <td style="text-align: center; border-bottom: 1px solid black;">                 9/24/24                  Date             </td> </tr> <tr> <td style="border-bottom: 1px solid black;">                 Supervisor (if required)             </td> <td style="text-align: center; border-bottom: 1px solid black;">                 Date             </td> </tr> <tr> <td colspan="2" style="border-bottom: 1px solid black;">                 Executive Director signature (indicates approval to add post agenda deadline item to agenda)             </td> </tr> <tr> <td colspan="2" style="border-bottom: 1px solid black;">                 Date             </td> </tr> </table>				<b>11)</b> <i>Jake Pelegrin</i>	<b>Authorization</b>	Signature of person making this request	9/24/24 Date	Supervisor (if required)	Date	Executive Director signature (indicates approval to add post agenda deadline item to agenda)		Date	
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Date													
<b>Directions for including supporting documents:</b> 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.													

**Architects, Landscape Architects, Professional Engineers, Designers, Professional Land Surveyors, and Registered Interior Designers**

<b>Clearinghouse Rule Number</b>	<b>Scope #</b>	<b>Scope Expiration</b>	<b>Code Chapter</b>	<b>Relating clause/ Summary</b>	<b>Current Stage</b>	<b>Next Step</b>
CR 24-028	112-21	6/20/2024	A-E 2, 7, and 8	<b>Sealing and Signing of Documents.</b> Clarification on definitions of seal and stamps, requirements for electronic signatures, and clean up redundant words or sentences.	The Final Rule Draft has been submitted to the Legislature.	The Legislature will take up the rule draft at the beginning of 2025.
CR 24-044	071-22	2/22/2025	A-E 8	<b>Supervision.</b> Clarification on definitions of supervision to ensure requirements are current with standards of practice.	The Final Rule Draft has been submitted to the Legislature.	The Legislature will take up the rule draft at the beginning of 2025.
CR 24-001	028-23	11/1/2025	A-E 1 to 15	<b>Registered Interior Designers.</b> The objective of the proposed rules is to implement the statutory changes from 2021 Wisconsin Act 195 to allow for the licensure, discipline, and practice of Registered Interior Designers.	Rule effective 8/1/2024.	Rule effective 8/1/2024.
	101-23	05/20/2026	A-E 6	<b>Education.</b> Clarification of Land Surveyor education requirements.	Rule drafting.	Board approval of Preliminary Rule Draft.