

ALC – Occupational Licensing Review Subcommittee
Occupational Entity Questionnaire

EXHIBIT C4

Responses to the following questions are due via email to Subcommittee staff no later than the 15th of the month immediately preceding the month the occupational authorization is scheduled for review by the Subcommittee.

1. Would consumers be at risk of substantial harm if Arkansas did not have this occupational authorization? What instances of specific and substantial harm have been documented in the past year?

Yes, the licensing of Engineer Interns, Professional Engineers, Surveyor Interns, and Professional Surveyors is essential to protecting the health, safety, and welfare of consumers and the general public. Licensure provides evidence to consumers, employers, and the public that an individual has met the minimum standards for education, examination, and experience to ensure competency in the practice of engineering and surveying.

Specific instances of substantial harm in the last year were documented through the Board's complaint process. Most current examples are below:

A Professional Surveyor filed a survey for a client which contained no record bearings/directions or deed references as required by Arkansas Standards of Practice No.1 causing the property line to dissect a building; therefore, due to the incorrect and misleading boundary line established by the surveyor, the client purchased a portion of the adjacent property to remedy the error.

A Professional Engineer was hired by a church to design a reinforcement of a preexisting structure to install a steeple. The design failed to account for proper gravity loads, lateral wind loads, and stability outside of standard engineering practices. The Professional Engineer practiced outside of his competency, failed to provide a usable design, and failed to refund the fee paid to him.

2. How many complaints were made to the occupational entity by consumers being harmed by unauthorized practitioners? What specific action was taken by the occupational entity?

There were no complaints received during 2022-2023 against individuals for practicing engineering and/or surveying without a license.

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The last complaint received regarding unlicensed practice was in 2020 where the complainant alleged practicing surveying without an Arkansas Professional Surveyor license. The Board voted to dismiss the complaint due to lack of sufficient evidence of a violation.

3. How many complaints were made to the occupational entity by consumers being harmed by authorized practitioners? What specific action was taken by the occupational entity?

In 2022, the Board received nine (9) complaints and the nine (9) complaints were Dismissed by the Board. As of July 14, 2023, the Board has received ten (10) complaints, one (1) complaint was Dismissed by the Board, and nine (9) complaints are pending investigation and/or Board review.

4. Were any applicants who otherwise met authorization requirements denied an authorization in the past year? If so, why?

All applicants who met the requirements and/or Rules of the Board were licensed in the past year.

5. How much does the occupational entity collect annually in fees, and what are annual expenses? How much money does the occupational entity have in reserves?

Total revenue for FY2023 was \$819,913.79 and the annual expenses for FY2023 were \$636,751.64. The total cash fund balance as of June 30, 2023 was \$1,763,421.63.

6. If the occupational entity has a positive amount in reserves, when was the last time reserve funds were used? For what purpose?

The Board has a positive balance in its cash fund, which is used to cover all expenses including their PELS database and the building located at 623 Woodlane, Little Rock, AR. In FY2016, the Board used \$132,883.27 in the renovation of the exterior of their building and in FY2017, the Board used \$539,064.80 in the renovation (bringing the building to code) of the interior of their building.

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7. Does the occupational entity have any other sources of revenue? Could occupational authorization fees be reduced without causing the occupational entity to be underfunded?

The Board's primary revenue source is generated by fees, with minor amounts of revenue provided by interest on bank CDs (<9% of total revenue FY2023). All expenditures incurred by the Board are necessary and essential to its continuing operations. Any reduction in fees could potentially affect the Board's ability to evaluate and process applications online, conduct national and state examinations, monitor continuing education requirements, investigate complaints, and issue licenses.

8. How many applicants for the occupational authorization fail each year? Does the occupational entity track how many applicants that do not progress are veterans, women, or minorities?

In 2020, 2% of applications were denied by the Board; in 2021, 1% of applications were denied by the Board; in 2022, 1% of applications were denied by the Board; and as of July 11, 2023, 1% of the applications were denied by the Board.

The Board does not track women and/or minorities. The Board does track active military, veterans, and their spouses who apply for licensure. To date, no active military, veterans, or their spouses were denied licensure.

9. Can applicants complete the training requirements for this occupational authorization with vocational or non-traditional education (e.g., apprenticeships)? What percentage of applicants complete apprenticeships?

All applicants must meet the higher education requirements which provide the knowledge for a diverse technical workforce to excel and advance in innovation, emerging technologies, and anticipating the welfare and safety needs of the public.

The Engineer Intern and Professional Engineer must graduate from a Bachelor of Engineering program accredited by Engineering Accreditation Commission (EAC) of Accreditation Board for Engineering and Technology (ABET) or provide education equivalency.

The Surveyor Intern and Professional Surveyor must graduate from either a bachelor's degree in Surveying, Geomatics, Geomatics Engineering or Spatial Information Systems; or a

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bachelor's degree from a curriculum of four (4) years and at least thirty (30) hours of surveying or surveying related courses; or an Associate of Applied Science degree in Surveying or Surveying Technology.

10. In what ways would removal of the occupational authorization or reduction of occupational authorization requirements be harmful to current authorization holders?

The reduction in professional licensure requirements would be harmful to Arkansas' licensed Professional Engineers and Professional Surveyors because it would undermine their credibility and create an inconsistency with the national standard of practice. The national business model for Professional Engineers and Professional Surveyors promotes interstate mobility. Currently, over sixty-seven (67%) of the Board's licensees have gained licensure by reciprocity or what the professions call comity. It is common for the professional to hold several active licenses in different states or jurisdictions. If Arkansas were to lessen its license requirements, it could result in recruiting under-qualified engineers and surveyors in Arkansas. The Arkansas licensee would not be comparable with other licensees regarding the nationally recognized education, exams, and experience. Arkansas licensees would lose credibility and ultimately may become ineligible for comity licensure in other states and jurisdictions.