

## AUGUST 2014 MEETING

Wednesday, August 13, 2014 (1.0 PDH)

### WORKSHOP

#### Professional Practices Update/Ethics

**Speaker:** David Howell, P.E., Director of Licensing for the Texas Board of Professional Engineers, Tel. 512-440-7723.

David Howell is the Director of Licensing for the Texas Board of Professional Engineers. He has over 20 years of engineering experience working for the State of Texas, five of them with the Board. As the Director of the Licensing Division, he oversees the review of all PE applications, Firm registrations, EIT certifications and renewals in the State of Texas. The Licensing division reviews more than 2,500 PE applications per year and handles the renewals for close to 54,000 licensed Texas PEs and approximately 8,400 registered engineering Firms. The Licensing division also coordinates the exams for more than 6,900 examinees each year. David earned a Bachelor of Science in Mechanical Engineering from the University of Texas, El Paso. Prior to coming to the Board, his work was primarily in the field of environmental engineering.



#### WORKSHOP SUMMARY

To an audience of about 80 attendees, David Howell presented a one-hour seminar on ethics designed to meet the Texas Board of Professional Engineers' yearly one-hour of ethics required to maintain a P.E. license.

David reviewed a number of items of importance to practicing professional engineers. David noted that the ethics requirements can now be fulfilled online by attending a webinar. The webinar audio can be accessed through the computer speakers or the phone but attendees will be in the listen only mode. During the webinar questions may be submitted online so that a reply may be provided at the end of the webinar.

David noted during his presentation that the purpose of the Board is to protect the public, not to serve the interests of professional engineers. The Board's function is to license engineers, enforce the Engineering Practice Act, and educate engineers, officials, and the public. David also addressed a popular misconception about the use of an engineer's seal on documents. Licensure, which includes the ability to seal documents, is based on competence. Engineers must not practice outside of their competence. Competence is based on the 3 "E"s of licensure: education, experience and exams and the 4th "E" is ethics. David noted that an engineer may only seal documents where the engineer is considered to be competent based on the 3 "E"s. He reinforced the requirement for professional engineers to meet three criteria needed to practice within their area of competence: experience, education, and examination.

Information was provided that showed most enforcement actions against engineers by the board are related to ethics rather than technical competence. Some enforcement actions are started by external or public complaints. Other cases are internal or opened by Board staff based on available information. Both licensed and unlicensed individuals must comply or face enforcement proceedings. There are approximately 60,000 licensed engineers in the state of Texas. In contrast, this number of licensed engineers represents only twenty percent of the engineers in the state. Approximately 750 cases are pursued each year. Seventy percent of the cases are resolved through voluntary compliance and approximately twelve percent are dismissed. Board actions may include monetary fines, penalties and revocation of licenses. David went on to explain that complaints against engineers may be submitted online, by email, phone, fax or mail, and that anonymous complaints are accepted. Details, specific instances of violations, and evidence to show probable cause should be included in the complaint.

David then went on to present some very informative scenarios that tested the attendee's knowledge of Ethics and the Texas Engineering Practice Act including:

- Sealing plans
- Procuring contracts
- Continuing education
- Confidentiality
- Supervision and delegation
- Firm registration
- Professionalism

To view David Howell's and other previous FPA Ethics Presentations, click on the links below

[August 2013 - Ethics](#)

[August 2012 - Ethics](#)

[August 2011 - Ethics](#)

[August 2010 - Ethics](#)

[August 2009 - Ethics](#)